

**Seyyed Mahmood Taleqani**

## **Islam and Ownership**



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# ISLAM AND OWNERSHIP

اسلام و مالکیت

Seyyed Mahmood Taleqani

Translated from the Persian by  
Ahmad Jabbari and Farhang Rajaee



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Seyyed Mahmood Taleqani (1911-79)

# ISLA AND OWNERSHIP

Seyyed Mahmood Taleqani

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یادداشت ناشر:

اولین چاپ انگلیسی کتاب اسلام و مالکیت در زمانی منتشر میشود که نویسنده آن، آیت اله طالقانی، مدتی است برحمت حق پیوسته است. بعزت عواملی که از عهده ناشر خارج بود، متأسفانه تماس با خانواده نویسنده برای کسب اجازه ترجمه میسر نشد. لذا انتشارات مزدا مقداری از درآمد حاصله از فروش این کتاب را به حساب مخصوصی وارز خواهد نمود تا در صورت لزوم و در زمان مقتضی به وراثت آن مرحوم مسترد گردد.

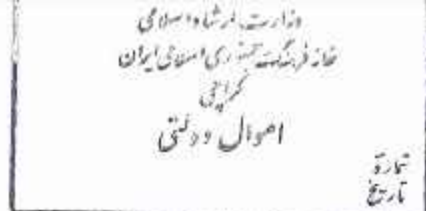
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## Translators' Preface



The Iranian Revolution has spurred interest among many scholars, experts, and politicians in learning more about the Shi'a Islam as it is practiced in Iran. This has been evidenced by many books and articles that have been written or translated into English in the past few years.

Although many books on jurisprudence, politics, and history of Shi'a Islam have appeared in translation, one on economics and ownership by a Shi'a scholar is visibly lacking. Our motivation for undertaking the rather difficult task of translating Taleqani's *Islam and Ownership* has been the importance of this work as a socioeconomic document and the dearth of information on the subject, as well as our own personal interest in introducing the author—a prominent Shi'a scholar and a central figure in the Iranian Revolution—to Western audiences.

*Islam and Ownership* must be considered as one of Taleqani's major contributions to the understanding of Shi'a Islam and one of the few books written in recent years that deals exclusively with a topic traditionally subsumed as part of *feqh* under the heading of *mo'amelat* or business law. Since the ownership of natural resources is one of the major concerns in economics, it is hoped that the publication of this volume would help shed light on the ownership system in Islam.

This book is the first complete translation into English of one of Taleqani's major works to appear in a foreign language. Two earlier attempts have been made. One is an abridged and hence incoherent translation of chapter seven of this volume,<sup>†</sup> and the other is an anthology of his writings that includes another rendition of the same chapter.<sup>‡</sup> The latter attempt is more of a commercial undertaking than a serious contribution to the understanding of Taleqani's ideas and works.

The present translation is based upon the fourth and final Persian edition released in 1344 (1965). This particular work was revised thrice by the author. The first edition of only 72 pages was released in 1330 (1951); the second edition in 1333 (1954) was 104 pages. We were unsuccessful in finding a copy of the third edition. Taleqani intended to revise the fourth edition as well but he died before he could incorporate his latest opinions and ideas.

Taleqani wrote and worked under extremely difficult circumstances. As a political activist and popular religious figure, he was under constant surveillance by the secret police. For most of his life he was either in exile, under house arrest, or in prison. In fact, he began writing one of his major works, *Partovi as Qur'an* [*A Ray from the Qur'an*] while serving time in Qasr prison. Some of the material, especially quotations, in this volume are clearly written from memory or are a result of discussions with other prisoners.



In this translation we have attempted to correct the shortcomings that are obviously due to this fact: misspelled names, incorrect dates, etc. At the same time we have tried to remain faithful to the author's original tone and style. At times this proved to be difficult partly because of the different structures of Persian and English, including differences in syntax. In Persian, particularly in religious writings, it is not uncommon to encounter long and repetitious sentences that reinforce relationships between ideas. Moreover, Persian is not totally dependent on punctuation to clarify meaning, so the use of the connective "and" to join already long sentences is not unusual. Although the introduction of punctuation into the Persian language in recent years by contemporary Iranian writers was meant to give some semblance of order, in practice it has proved to be confusing. Punctuation marks have not been fully integrated into the Persian grammar, and their usage therefore has not yet been standardized.

The misuse and abuse of punctuation in the Persian text was another source of difficulty. We had to re-edit a major portion of the original text to understand what the author really meant to say. In several instances we had to resort to a third and even a fourth opinion to resolve the difficulty.

The difficult circumstances under which Taleqani wrote are clearly reflected by a noticeable lack of adequate references. We were able to find and provide most references. But whenever this proved to be impossible, especially where a direct quotation from a foreign source was involved, we merely translated the Persian quotation.

The transliteration system used for this volume is a judicious mixture of two different systems currently used in the literature. This was necessary because Arabic words are pronounced differently in Persian than in Arabic. For certain Muslim names and Arabic terms that have become standard in the English language we used the more familiar transliteration. The Persian transliteration follows the system proposed by Naser Sharify in his *Cataloging of Persian Words* (Chicago: American Library Association, 1959) and the Arabic follows the Library of Congress' *Cataloging Service* (Bulletin 118, Summer, 1976). We hope this does not create confusion in the minds of the readers.

The Qur'anic quotations are taken from Marmaduke Pickthall's translation, *The Glorious Koran* (Albany: State University of New York, 1976). Wherever Taleqani's interpretation of a verse varies from Pickthall's, direct translation from the Persian has been attempted. The translation of Imam 'Ali's sermons and sayings are adopted from *Nahjul Balagha of Hazrat 'Ali* (Elmhurst: Tahrike Tarsile Qur'an, n.d.). Grammatical and editorial errors have been corrected wherever necessary. Verses from the Old and New Testaments have been lifted from *The New American Bible* (Wichita: Catholic Bible Publishers, 1974-75). Notes followed by "(tr)" are those of the translators.

In the course of translating this volume over the past two years, we have found that we owe a debt of gratitude to various friends, colleagues, and in-

stitutions.

Mr. Farhang Rajaee owes much to the encouragement he received from his friend, Professor Mohammad R. Ghanoonparvar. Had it not been for his support, Mr. Rajaee's participation in this project would not have gone beyond wishful thinking. Mr. Rajaee is also indebted to Mr. James Price who read the translation and gave valuable suggestions. Special thanks are due Professor A. A. Sachedina who made valuable contributions to the understanding and interpretation of difficult Islamic concepts in the book. Finally, thanks are due to the anonymous reader who made valuable observations and corrections on Mr. Rajaee's earlier draft of the translation.

Mr. Ahmad Jabbari is indebted to Professor Robert Olson who was a most meticulous critic during the preparation of the first draft of the earlier chapters and provided much helpful advice. Thanks are due especially to John Green for his comments and corrections of parts of the translation and to Dr. Yashoda N. Singh who provided editorial assistance and guidance during the final stage of manuscript preparation. Barbara Galik, the reference librarian at the University of Kentucky, assisted in obtaining several urgently needed documents; Mr. Akbar Marand provided the tapes and texts of Taleqani's speeches and sermons; Mr. Ahmad Abediyeh generously contributed his entire collection of various Persian language newspapers and periodicals to the Publisher's library. They were of considerable value to the project. Mr. R. K. Karanjia, editor of *Blitz*, India's weekly news magazine, furnished the text of this interview with the late Jawaharlal Nehru. Thanks are also due to Mrs. Anita Oldham who typeset the manuscript with painstaking determination. Finally, thanks are due to all those individuals at the Library of Congress' Middle Eastern section, the University of Cincinnati library, and the Ohio State University library for allowing this translator generous use of their books, microfilms, and audio-visual equipment.

We take full responsibility for any shortcomings that may inevitably persist.

Ahmad Jabbari  
Farhang Rajaee  
June, 1983

† Ayatullah Mahmud Taleqani "The Characteristics of Islamic Economics," translated by William Darrow, in John J. Donohue and John L. Esposito, editors *Islam in Transition: Muslim Perspectives* (Oxford, England: Oxford University Press, 1982).

‡ Seyyid Mahmud Taleghani *Society and Economics in Islam*, an anthology of writings translated by Richard Campbell and edited by Hamid Algar (Berkeley, CA: Mizan Press, 1982).



## Introduction

Seyyed Mahmood Taleqani was born to a religious family in 1911 in the village of Golyard near the town of Taleqan to the northwest of Tehran. He was born five years after the Persian Constitutional Revolution, at a time when Iran was in a stage of transition from centuries of despotic monarchical rule and religious fanaticism. This transition is clearly reflected in Taleqani's life and scholarly works. His opposition to secular dictatorship and religious fanaticism constituted a life-long struggle and a great achievement.

His early education began under this father's supervision, Ayatollah Haj Seyyed Abolhassan Taleqani, himself a former student of Mirza Hassan Shirazi who had played an active role in the tobacco uprising of 1890-92. Taleqani's formal education in Qom began initially at Razaviyeh *madraseh*, then continued in the famous Fayziyeh theological school. He remained there until 1318 (1939) when he completed his studies and acquired *eftebad*.

Taleqani's formative years coincided with renewed social and political upheaval in the aftermath of Reza Shah's abdication from the throne. The sociopolitical milieu was dominated by nationalistic fervor and religious sentiments. Unfortunately, these two aspects of the Iranian society were never fully integrated to free Iran of imperialism and foreign influence. During the short-lived government of Dr. Mohammad Mosaddeq, Taleqani became a candidate from the northern province to the 17th legislative session of the Majles. He endorsed Mosaddeq and tried hard to bridge the gap between the government and various religious factions. His support for Mosaddeq met with stiff opposition from dominant religious figures. This antagonism and split culminated in the defeat of the nationalist government and the return of the late Shah, Mohammad Reza Pahlavi, to power.

After the 1953 coup that resulted in the overthrow of Mosaddeq, Taleqani was arrested and charged with harboring Navvab Safavi, the leader of the militant *Fada'iyan-e Islam*. Following his release he began to organize Islamic centers partly out of his concern for the rapidly rising communist influence on the youth, particularly university students. He also became the Friday imam of the Hedayat Mosque in Tehran. His sermons attracted many students and intellectuals opposed to the Shah's regime.

Taleqani spent most of his life either in jail, in exile, or under house arrest. In 1961 the government was struggling to survive a severe economic recession which provided the National Front and other opposition parties with the opportunity to openly express their views and seek political recognition from the regime. Taleqani and a few other prominent politicians and lay Islamic leaders, notably Mehdi Bazargan, organized the Freedom Movement, a society which sought to oppose the regime. The opposition was consistent with the provisions

of the Constitution. The relative freedom enjoyed by the political groups and activists, however, proved to be short-lived. In 1962, under pressure from the United States, the Shah launched a series of reforms known as the White Revolution. In addition to provisions for land redistribution, the reform included articles which in theory allowed a wider participation of women in social and political affairs. This stirred protest among the traditional segments of the religious establishment and subsequently led to the bloody 1963 uprising inspired by Ayatollah Khomeini. The uprising was ruthlessly crushed and Khomeini was sent into exile. Taleqani and other members of the Freedom Movement were arrested. He was sentenced to ten years in prison but was released in 1967. Four years later he was sent into exile in the remote town of Baft in Kerman. He was once again arrested in 1975 for sympathizing with the Muslim guerrilla movement and sentenced to ten years. In October 1978, a few months before the revolution's triumph, he was released under mounting pressure on the government and as part of the government's attempt to appease the opposition and stop a dangerous situation from becoming worse.

Taleqani played an active role during the revolution. He was instrumental in organizing nationwide strikes and protests against the regime which eventually brought about its downfall. Afterwards he was elected by a large margin to serve in the Assembly of Experts which was to debate the form and content of the constitution of the Islamic regime. He was a member of the Revolutionary Council but his exact contribution to the Council has not yet been made public. His most important contribution perhaps was his role of the ambassador of good will, a trouble-shooter, so to speak, during the months following the revolution. His enormous popularity and respect among the people afforded him a unique opportunity to travel to the troubled areas of Turkmanistan and Kurdistan to negotiate peace between various warring factions and the provisional government.

Taleqani spent his entire life fighting despotism and religious fanaticism. His deep concern with the deteriorating social and moral conditions of the Iranian society went beyond his political opposition to the Shah's regime. He was highly critical of the religious establishments for having abandoned their social responsibilities and adopted a conservative policy. For such views his peers considered him an outcast. His new, revolutionary (and "evolutionary") interpretation of the Qur'an was not welcomed by the religious circles. He had voiced his concern as early as the time when he was a student at Qom. "In those days," he wrote later, "I would often ponder, are not these discussions about the Qur'an and Islamic injunctions and its derivatives meant to be put into practice for the happiness of the people and society?"<sup>1</sup> He blamed mainly the *mullahs* and the leading *mojtebeds* for having allowed religion to turn into a collection of superstitious beliefs and practices without practical relevance to the social conditions and realities in Iran. He had reached the conclusion that to create unity and true freedom, society more than even needed to rediscover

Islam and the real meaning of the Qur'an. His views on the Qur'an and its place in Islam amounted to censuring the distorted perception of the *mullahs* and religious leaders.

This book which once was the testament of religion and governed the affairs of men has been reduced to the status of old objects and books of incantation that are supposed to bring good luck and sanctification. It has been removed from frontiers of the living and plunged into the depths of the world of the dead and the rituals of absolution. The sound of their reading the Qur'an announces death. . . . Muslims do not realize that the place of the Qur'an is among the living.<sup>2</sup>

Taleqani sought to reinterpret the Qur'an in light of the realities of today's Muslim societies, particularly that of Iran. The result was the five-volume *Partovi as Qur'an* referred to in the Preface. What clearly distinguished him from the other clergy was his insistence that the Islamic injunctions must be put into practice during the struggle. He organized secret sessions to discuss and reinterpret the Qur'an during the latter years of Reza Shah's rule.

Taleqani never became afflicted with intellectual rigidity. He always searched for new ideas and wanted to learn more about other ideologies. He constantly sought to improve or reiterate his own understanding of social phenomena. For this reason his writings should be read within the context of the sociopolitical milieu prevailing at the time. His appeal to the public went beyond the ordinary people. His ideas were widely received among the intellectuals and educated Iranians. His revolutionary interpretation of the Qur'an and *Nahjul Balagha* inspired revolutionary groups, particularly the People's Mojahedin Organization, of which we shall have more to say later. In an atmosphere where many alien ideologies or "isms" were being rapidly introduced, preplexing the youth and college students, his new interpretation of Islam fell on receptive ears.

Like those of most popular social thinkers, political activists, and religious scholars, Taleqani's biography and his contributions to the study of Islam cannot be free from controversy. Already, four years after his unexpected death in September 1979, several interpretations of his thoughts, writings, and deeds have emerged. His most staunch supporters were the Mojahedin. The founding members' affiliation with Taleqani while they were in and out of prison, has led the present leadership and sympathizers to claim him as their spiritual father. Since the Mojahedin have not so far produced concrete evidence nor engaged in open ideological discussion to demonstrate the extent of Taleqani's affiliation with them, conclusions about the group's alliance must be pieced together from the events that followed the revolution.

Most of Taleqani's earlier scholarly writings on Islam, including this volume, by and large fall into the mainstream of Shi'a thought and scholarship. It is in the application, as pointed out, that he differs from his peers.



Although his views on Shi'a *faqh* and his interpretation of the Qur'an run mostly contrary to what is being advocated by the Mojahedin theoreticians, certain post-revolutionary events may indicate some degree of closeness between him and the Mojahedin. For example, it was obvious that he was not happy with the direction the revolution was taking. His insistence on the formation of the *shoras* (worker and peasant councils), his defiant gesture and silent protest against the Assembly of Experts by sitting on the floor and keeping a distance between himself and the other representatives, his reported opposition to the ratification of the *velayat-e faqih*, the arrest by the Revolutionary Guards of two of his children sympathetic to the Mojahedin and his subsequent departure from Tehran in protest, his routine criticism of the authorities and the members of the Assembly of Experts at his Friday sermons, and his meeting with the surviving leaders of the Mojahedin upon their release from the Shah's prisons do indicate a relationship between Taleqani and the organization. But this is not to say that had he been alive today he would have totally agreed with the composition of the Mojahedin and the sort of socialistic interpretation of Islam being advocated by them. Taleqani had made statements earlier indicating that he did not favor one group over another: "I have no particular affection for any group; I only desire the good of the nation."<sup>3</sup>

Taleqani had, of course, made certain statements regarding communism and Marxism which may have created the impression that he leaned towards a "socialistic" interpretation of Islam. Some have therefore unfairly referred to him as the "red Ayatollah." But such impressions are more apparent than real. In a speech at Fayzieh school in Qom he had said: "The issue of collectivism is distinct from the issue of unscientific materialism. The true meaning of the term 'collectivism' is togetherness which Islam pioneered. This was the way of life at the dawn of Islam. The Prophet, his associates, and the Ansar had a close family-like life. . . . This is not the same as materialism or preeminence of matter which must be separated from religion."<sup>4</sup> Elsewhere he says: "We share common views with the Marxists in so far as we too reject colonialism and oppression, and defend freedom. What we disagree with is their belief in the preeminence of matter. We believe in the preeminence of God—the preeminence of an intelligent source of Creation."<sup>5</sup> Thus, Taleqani separated the two aspects of Marxism. While he rejected its historical materialism, he accepted its rejection of colonialism and oppression.

Taleqani's sympathy toward the Mojahedin must, therefore, be viewed from this angle. Moreover, the Mojahedin were the only Muslim guerrilla group that campaigned against the Shah's regime at the time when most secular opposition and religious establishments had withdrawn into their cocoons engaging only in esoteric discussions or taking refuge in rites and rituals of religion. In addition, Taleqani was tolerant of all groups, even those who advocated non-Islamic solutions. He made his feelings public on several occasions: "Any group that attempts to curtail the public's freedom to criticize and

discuss issues has not understood the meaning of Islam."<sup>6</sup> On another occasion he had said: "A group which attacks another group, its meetings, speeches, and libraries in the name of religion is not serving Islam. It is being used as an instrument by others without being aware of it."<sup>7</sup>

Taleqani's major concern lay in his belief that if the revolution is to succeed, it must be entrusted into the hands of those who brought it about, i.e., the people. He constantly stressed the importance of the formation of the *shoras*, an idea that was not well received among the clerical establishments yearning for power. In May 1979 he presented a plan consisting of fourteen articles for the formation of the *shoras*.<sup>8</sup> The text of the plan was printed in some newspapers and was publicly debated. The plan called for the formation of urban and rural councils to transfer decision making to the local population. It would have allowed the inhabitants of a village to elect five representatives to the council, and the cities to elect seven members with one additional member for every one-hundred thousand inhabitants. The plan was abandoned after his death; the *shoras* were replaced by Islamic Societies in every government institution and in the private sector with direct links to the ruling Islamic Republican Party. Taleqani's insistence on the establishment of *shoras* was in keeping with his life-long struggle for freedom and self-determination. He feared that unless people were allowed to manage their own affairs, another autocratic rule was inevitable.

Taleqani delivered his final Friday sermon in September 1979. It is a testimony to the kinds of opposition he was facing.

... I have said a hundred times that the issue of the *shoras* is one of the most fundamental issues in Islam. Even God had commanded the exalted Prophet to consult with people and to ask them to rely upon themselves rather than the leadership. But not only did [the authorities] pay no attention ... they are still debating this fundamental principle of Islam in [the Assembly of Experts]; how should they carry it out? can they? should they? perhaps? The *shora* is the essence of Islam ... Imam 'Ali has said, "An autocrat is doomed." Why do the members [of the Assembly of Experts] say this cannot be done? I can't understand! If the *shoras* are established, you and I have nothing more to do and must get up and leave, and the people assume all the responsibilities. The people from the south of the city who are lying in their graves plead for the *shoras*. We are told by the members [of the Assembly of Experts] that the formation of the *shoras* would lead to disorder in the factories. Let that happen. The principle is far more important. Why should the principle of *shora* be abandoned just for that reason? They tell us: "Sir, why are you discussing these issues among the people. Come and raise them in the Assembly." I say to them: "I am raising these issues with your constituents. It is they who have elected us" ... Let us put aside obstinacy and selfishness. Let



us abandon partisanship and opportunism. Let us stop imposing our personal will, and, God forbid, dictatorship in the guise of religion. Let us go among the grief-stricken people and sufferers and become one voice with them.<sup>9</sup>

He died unexpectedly three days later. When his birth certificate was brought to the Census Bureau for cancellation it was appropriately stamped: "For us you will always live."

## THE SCOPE OF THIS VOLUME

Economic system must be viewed as part of the overall social system. Social systems are ideological spheres with a philosophical (world-view) nucleus. Within this nucleus lie answers to three fundamental questions about (1) existence, (2) man, and (3) history. The essence of an ideology or social system can be discerned by considering the sorts of answers it provides to these questions.

Economics as a science is the result of centuries of reflection, rationalization, and experimentation based upon Occidental values and philosophy. This science in its present form has developed to a fair degree of sophistication, particularly since the pioneering works of Adam Smith. Clearly, therefore, care must be exercised when one combines the concept of Islam, with its unique philosophy, and "economics" which has its roots in the Occident. A closer look at the literature on the subject of "economics" by Muslim scholars, thinkers, and young western-educated economists reveals that what they have to say has not been articulated and does not necessarily conform with conventional notion of economics. Methodological confusion in various degrees has appeared in almost every book and article that claims to deal with the study of economics from Islamic perspective.

To avoid further confusion it is necessary at the outset to construct a methodology of economics based on Islamic philosophy. This methodology should encompass all the axioms, principles, and injunctions derived from Islam. To describe, define, and construct this system, one must devise a series of theoretical constructs describing and predicting the outcomes of the system, that being the primary purpose of economic theorizing. A prerequisite for constructing an economic theory is to distinguish *fact* from *value*. That is, positive statements must be clearly separated from normative statements.

Normative statements are statements derived from the philosophy of Islam as elaborated in the Qur'an. If one is to believe that Qur'an is God's words revealed to the Prophet Muhammad by the angel Gabriel, there would be little room left to argue that the Qur'an is nothing but a set of normative statements,

that is, not subject to proof or disproof, and that they should be taken at face value.

Positive statements are those that are time-bound, historically specific, and subject to debate, proof or disproof. Such statements, in this translator's opinion, are the *hadith* and *sunnat*.

Constructing a general economic equilibrium theory of Islam requires a thorough study of both the normative and positive statements. The study and interpretation of the normative statements fall within the domain of Muslim scholars and thinkers, generally known as the *ulama*. The positive statements are the domain of social scientists and historians, and where specifically economic issues are concerned, that of economists. The construction of a general economic theory is a serious and challenging matter not to be trusted to the *ulama* alone who know very little about economic theorizing. Cooperation between both groups is needed if a workable methodology is to be devised.

There are four steps involved in the study of positive statements. First, a historical analysis of economic activities in Muslim societies must be undertaken. This would determine the issues that were considered to be important at specific times and in specific places, including during Muhammad's rule in Medina. Second, an empirical analysis of the available data and information must be carried out and facts sorted out from fiction to enable one to propose appropriate theories to explain observed patterns and regularities. Third, attempts must be made to construct a general economic theory based upon Islamic philosophy. Finally, a sensible strategy commensurate with today's realities must be adopted and a balance between exogenous and endogenous forces of society maintained to ensure individual and group productivity. Historical cycles and repetitions must be identified and avoided whenever necessary. Behavior models of economic units must be constructed to reflect present-day conditions of Islamic societies and their interactions with the rest of the world if one is to avoid contradiction and hypocrisy. Theoretical models must be revised or abandoned if they do not pass actual tests. Otherwise Muslim societies will continue to stagnate economically—as they have for the past several centuries—while the rest of the world pushes ahead.

As far as this translator is aware, no comprehensive economic theory based on the Islamic world-view exists. Although some attempts have been made in recent years by a few traditional Muslim scholars and young western-educated Muslim economists, their attempts have not so far produced satisfactory results. One reason is that these devout individuals have unwittingly adopted the same economic logic prevalent in the West. Using methods similar to those of the neoclassical school they have merely tried to "Islamicize" Western economic theory by introducing a few out-of-context verses from the Qur'an and quotations from the *hadith*. Such approaches have, in my opinion, led to failure and have created more questions than answers. These scholars, while steadfastly rejecting Marxian analysis on the pretext that it is "Godless", have condescended



with "capitalistic" analysis on the grounds that it is at least monotheistic in its world-view but needs to be humanized and "Islamicized." It is precisely this thinking that has diverted the attention of Muslim scholars from appropriate solutions to economic problems of Muslim societies. The classical and neoclassical economic theories (and their Keynesian synthesis) cannot be doctored to fit into an Islamic pattern. It would be like trying to fit a square peg in a round hole. An Islamic economic methodology and general economic equilibrium theory must be developed independently as though no socialistic or capitalistic theories ever existed. Such a claim cannot as yet be made by the *ulama* and the young, enthusiastic Muslim economists.

However and whenever such a theory is born, it must confront two basic issues: how to allocate scarce resources efficiently to the production of various goods and services to satisfy the people, and how to distribute these goods and services among them. To solve these problems a society may have to choose ways and means not endorsed by other societies because of differences in customs, traditions, and the perception of the surrounding world.

An economic system constructed on the basis of Islamic world-view may take on two dimensions: (1) moral or spiritual, and (2) material or secular. These two dimensions, which on the surface appear to be in conflict, must co-exist at all times during allocation of resources, and production and distribution of goods. Ideally, moral dimension should take precedence over the material dimension when a choice between the two becomes necessary.

The principal issue in such an economy revolves around the manner in which natural resources are initially distributed among individuals and productive units. It involves the concept of ownership and a system that guarantees just distribution of the resources among producers. In this volume Taleqani addresses himself to this important issue.

For reasons elaborated above this volume is not and was not meant to be an economic theory of ownership from an Islamic perspective. No general theory or theories are expounded or tested. The author's use of the term "economics" should be taken as economic *activity* rather than theory. To re-emphasize the point made earlier, one must clearly distinguish between the application of certain injunctions to purely economic activities from economic theory per se which seeks to explain the system and predicts the outcomes of various actions. Chapters IV through VII are restatements of Islamic injunctions and the laws of Shi'a *fiqh* regarding economic *activities* such as trade, money, inheritance, etc. Economic theory revolves around such questions as consumer behavior and behavior of producers, but such questions are not dealt with in this volume.

Taleqani explains how Islamic injunctions relate to ownership of natural resources and other forms of property. He provides ideological and legal justification for his views, relying primarily upon verses from the Qur'an, quotations from *hadith*, and sayings from *Nahjul Balagha*. He does not,



however, deal with the more interesting question: what would be the economic consequence of implementing these injunctions in today's societies.

In closing it should be mentioned that the term "property" for Taleqani does not simply mean some tangible thing to be possessed and passed on to the next generation. It is indeed the totality of rights based in human relationships and man's spiritual bond with God.

—A.J.

### NOTES

1. See Taleqani's introduction to Mohammad Hassan Na'ini's *Hokumat as Nazar-e Islam* [Government from Islamic Viewpoint] (Tehran: Ferdowsi Publishers, 1955), p. 5.

2. Seyyed Mahmood Taleqani, *Partovi as Qur'an* [A Ray from the Qur'an], vol. 1 (Tehran: Enteshar Publishing Co., 1963), p. 13.

3. Speech delivered in Ahmad Abad at the grave site of Dr. Mohammad Mosaddeq in Esfand 14, 1357 (March, 1979).

4. *Rahnemudhay-e Pedar Taleqani* [The Guidances of Father Taleqani], excerpts from Taleqani's speeches published by Muslim Students Societies in Europe, January 5, 1980, p. 38.

5. Ibid, p. 38.

6. Ibid, p. 36.

7. Ibid, p. 35-36.

8. *The Collection of Father Taleqani's Speeches*, vols. 1 and 2, a publication of People's Mojahedin Organization, 1358 (1979), pp 143-46 (in Persian).

9. "The Last Sermon of the Great Mojahed Ayatollah Taleqani in Behesht-e Zahra" a leaflet distributed by the Embassy of the Islamic Republic of Iran, Washington, D.C. (n.d.). Also reprinted in full in *The Collection of Father Taleqani's Speeches*, op. cit., pp 51-55.

## ISLAM AND OWNERSHIP

## Author's Note to the Fourth Persian Edition

The release of this volume at this particular time is no reason to assume that the author still totally agrees with all the topics he wrote in this book many years ago.

Unauthorized publications warranted the release of this volume in its original and unrevised form. If opportunity permits, the revised edition will include the author's present opinion and ideas. In the hope of that day!

—SMT

Tehran, 1344 (1965)

## PREFACE

*In the Name of God, the Beneficient, the Merciful,  
Praise be to Allah, Who hath not taken unto Himself a son,  
and Who hath no partner in the Sovereignty.  
Nor hath He any protecting friend through dependence.*

*(Qur'an; XVII: 111)<sup>1</sup>*

*Say: O Allah! Owner of Sovereignty!  
Thou givest sovereignty unto whom Thou wilt,  
And Thou withdrawest sovereignty from whom Thou wilt.*

*(Qur'an; III: 26)*

Many greetings upon the founders of the castle of happiness, the erectors of the banner of guidance, the callers for peace and security, the guardians of the standards of justice and equity, and those who have been chosen as the messengers of God. In particular, greetings upon the one who has fulfilled the last prophetic message—the exalted caller to faith, lasting flame, helper of the people of the world, Seal of the Prophets—Muhammad son of Abdullah, and to his household and honorable successors.

God almighty, the source of all powers, has created man in the last and long line of perfection. Man is the most perfect of life's composition. With this composition and spiritual and physical makeup, God placed him naked and in total want without any means on this earth. And while He has made the various elements of man's need dependent upon the delicate and sensitive nature of humankind, He has rendered difficult the acquisition of necessities in order that such pressing and delicate needs (avoiding hunger, thirst, cold, heat, sickness, etc.) awaken inner potentials, activate possessive impulses, direct attention to essential things, open eyes in order to elicit thought and to prompt appropriate measures for every challenge, increase effectiveness, and enhance fulfillment of critical necessities, and with the endowment of good vision allow mankind to perfect its possessions so that with the perception of the world's order, cohesion, mystery, and beauty the human race may receive mental rewards, and on the path to perfection may also take along provisions for life from the signs and attributes of the Creation.

## NOTE

1. Translation of the Qur'anic verses are from Maraduke Pickthall's *The Glorious Koran* (Albany: State University of New York, 1976); all subsequent citations are to this translation. Wherever Taleqani's interpretation of a Qur'anic verse is at variance with Pickthall's translation, direct translation from the Persian has been attempted. (u)

# I

## The Evolution of Ownership

Power, possession, and needs, on the one hand, and the usefulness of things, on the other, have brought forth the relations of, and the desire for, ownership. This term 'relations' means that ownership constitutes the authority over the right to possess things which living creatures have obtained. The principle of ownership, intrinsically and as a natural fact, pre-exists ownership as an extrinsic and legal matter. Ownership as a source of legal rules and regulations is a later development from which has grown economic, social, and political ideologies. Thus, before considering the legal and extrinsic aspects of ownership, one should observe the desire for and the right of ownership among animals as among human beings.

### OWNERSHIP: HUMAN NATURE AND ANIMAL INSTINCT

An object (a box or a toy) given to or obtained by a child, is considered the property of the child. If one attempts to take it away by force, the child will defend the right of ownership and, by crying and groaning, will seek assistance from others to retain that right. This sense of defending one's possessions can also be seen among animals. An animal that builds a nest or hunts for food will consider both to be its possessions, and will treat any intruder as an aggressor and will defend itself with the power of reliance on its rights. Other animals also aid one another in defense of rights. Take crows, for example. How

fiercely and with what commotion they defend their nests and resist when confronted with a flock of latecomers who want to take away their nests and how they are supported by other crows. Some species of female birds which build their nests alone consider their right to the nest above that of their mates; once the chicks are hatched and have learned to fly, and their needs fulfilled, the females drive the males from the nests. However, if both mates help build the nest they live together to the end. Ant holes and beehives are the properties of the respective species, and often they use them to store food and other needs with confidence, and defend their properties against the aggressors. Therefore, the reasons for and evidence of the instinctive nature of the principle of ownership among animals seem, more or less, obvious.

Ownership among primitive people, as among animals, is limited to, and in accordance with, the level and duration of use. Animals and primitive people limit their ownership rights to just a few things, and once their needs are met they will abandon them. Primitive men considered hunting tools, fire-making kits, caves, and shelters part of their property and when basic needs had been satisfied they abandoned them and did not object to their use by others. Their descendants, who are a representation of man's primitive way of living, behaved in this fashion and considered much of their belongings to be collectively owned. Nevertheless, primitive man respected private ownership and considered it as part of his existence, just as a person considers himself the owner of his body's organs, and cherishes the wealth he has acquired, traded, or inherited as part of himself. For this reason primitive man, irrespective of legal rules and regulations, declared the right of ownership over a bush, a piece of rock, a tree, or a branch by tying a piece of rag or a string around them or by cutting special marks into the trunks of trees. Others respected his rights and did not violate them.

This basic principle of ownership which has an established origin has, in accordance with situations and conditions, taken different qualitative and quantitative forms throughout history. For instance, among some tribes and clans moveable and immoveable objects belonged to everyone, whereas among others ownership was restricted to the land. In some cases, things belonged to the whole tribe, in others the ownership belonged to a clan or a family, and yet in others it belonged to individuals. An investigation of the types of ownership and their different characteristics belongs to the subject of the history of ownership. The general purpose of this book is to argue how ownership, as a result of improvements in the means of production and increase in wealth and the number of consumers as well as progress in civilization, has become a source of social imbalance and disequilibrium, has led to class wars, and deprived man of comfort and tranquillity. Can a definite and permanent solution to this problem be found?

Although evolution of ownership and progress in matters related to economics have facilitated, in some respects, man's life and influenced his in-



tellectual evolution, yet in some other respects this same evolution has become one of the ever growing problems in his life. Men of ideas and reformers have constantly expressed theories and ideas for the solution of this problem, none of which has thus far proved to be the ultimate solution. A great many people maintain that these problems are among those unresolvable issues with which men must live till eternity.

The root of the problem begins from the moment that man turns his will and attention to fulfilling his instincts and desires, and does not stop at the level of basic necessities and satisfactions. Since he was created to be independent and free, he tries to expand his domain as much as possible. As wealth and the desire for ownership have gained importance through the course of history, and as means of production have improved, man's attraction to them has also increased and this desire has become so important that it has undermined spiritual, moral, and political values.

As was mentioned, in a simple primitive society the desire for ownership was limited to objects which were useful for their same simple way of life. That is, ownership was simple and limited both qualitatively and quantitatively. One owned a shelter, a tree, a piece of rock or wood to the extent that he could utilize them. As he moved away from that location and abandoned these objects others took possession of them. After individual and family life was transformed into tribal and community life the power of possession and ownership increased until it reached the phase of production, distribution, and consumption, and, consequently, centralization. From this point onward ownership went beyond the boundaries of fulfilling basic needs and took deeper root in man's nature. From here emerged moral wickedness—greed, jealousy, competition, and animosity.

### THE BEGINNING OF THE DIVISION OF LABOR, DISTRIBUTION, BARTER, MONEY, AND CAPITALISM

At the beginning of this era production took place to the extent that distribution of products and consumption by individuals and tribes (which had gathered to satisfy their needs collectively) warranted. Parallel to the growth in needs, there occurred division of labor and production rose. With improvements in the means of production, division of labor, and increase in productivity, the era of bartering arrived. Through bartering, needs were better and more easily satisfied. Every group or individual, according to its particular function, produced goods and exchanged any surplus with goods produced by others to meet other needs. Those with physical strength and innovative ability produced more and their natural instinct for the love of property and gathering of wealth grew. They hoarded the surplus left from initial bartering, and after their basic needs were fulfilled they used the surplus to attract other goods. In



this period, since buying and selling was in the form of barter and commodities were susceptible to deterioration and waste, centralization of wealth and differences in standards of living were not appreciable. As societies expanded and needs grew and markets expanded, it became increasingly difficult to determine and agree on the exact values of the commodities traded. To facilitate trade and to agree upon and determine value, money came to be utilized. It represented, at first, a standard unit of value and a facilitator of trade.

At this stage buyers and sellers were indistinguishable and it no longer became necessary for the owners of capital and money to supply the market with their commodities when the public needs warranted it. Instead they stored their commodities for as long a period as the commodities did not perish in order to sell them at a higher price. The money obtained in this fashion could be kept in strongboxes and used only when needed and in the amount required. Often there were producers who could not exchange their goods at the right time and for appropriate value because the capitalists determined the value of goods for their profit. The capitalists bought commodities at lower prices in order to hoard, and when the opportunity arose sold them at a higher price to consumers or the original producers and collected even more money. Gradually, the producing and working class, their physical strength, labor, and belongings all fell under the control of the men of money and wealth and they became their servants and slaves. Once this occurred, the capitalists took possession of the land as well as natural resources. This process continued to a point where money—which at the beginning was fabricated only to set the standard of value and facilitate trade—became more valuable than the commodities and became a means of exchange. As a result of this process usury became widespread and money itself became a source of power. Therefore, a class having access to money was also able to control human and natural resources and eventually governments. The natural order of society, spiritually and morally, also underwent a fundamental change. Human talents and virtues stopped growing and the sense of cooperation and benevolence withered. The instinct for survival—man's inheritance from the world of animals—now reappeared in wars and manifested itself in man's cruelties. Unity and social harmony were replaced by class differences, antagonism, and dispersion. The poor and the deprived lined up against landlords and owners of wealth and serfs who already had the government under their control. In a situation such as this, if a solution had not been found talents would have been used to encourage animosity and vengeance. Peace and security would have forsaken every one and would have been replaced with anxiety. A period of decline and the destruction of society would have occurred.

## THE EMERGENCE OF THEORIES AND LAWS

In any community where the system of ownership and economic condi-

tions are in disequilibrium and the danger of destruction and disorder appears, usually men of perception and constructive ideas begin seeking a remedy by devising new laws. Such men attempt to rouse humanitarian feelings and to direct the attention of those who possess money and wealth to their social responsibilities. Men of goodwill propose theories and advance ideas for the attainment of a just and desirable society in order to prevent society's collapse and destruction. But since these attempts are not reinforced by faith, religious beliefs, and human spirituality, they either have no effect or their impact is transitory. Such remedies do not restrain man's desire to accumulate wealth.

Many thinkers are not persuaded to recognize that the socioeconomic conditions are the result of actions of individuals and classes in society. Moreover, many thinkers do not recognize that actions and behavior are manifestations of human morality and innate qualities and that outward appearances cannot be considered removed from conscience and the inner self. It must be recognized, however, that any theory or law which does not rely upon the inner self and morality lacks stability and permanence and will not be practiced as it ought to be. Is it not true that any new theory, law, or alteration in the system of ownership must be brought about by some authority? But if authority does not emanate from faith and spirituality no change can occur as the executors of these laws and theories will be the very same human beings who love wealth.

For this reason in eastern countries, thanks to various religions and reformers, faith, social responsibility, and human affection have penetrated and grown deeper roots. Although in ancient times these countries had no extensive written secular codes and religious laws governing financial and economic affairs (and where, more often than not, vast differences in standards of living prevailed), they have been confronted with fewer crises and class disorders. Consequently, they have had little by way of economic and social theories and hypotheses. Jewish tribes, with all their love of wealth, had settled in urban areas and as long as religious laws and preachings ruled amongst them and they lived under the guidance of the prophets of Israel, they were not afflicted with class differences.

In Iran, as soon as the religious leaders collaborated with those in power and transgressed upon the rights and properties of the people, thereby weakening the foundation of faith, class differences intensified and amid this situation individuals like Manes and Mazdak revolted in the defense of the rights of the deprived classes.

In ancient Greece and Rome, before the emergence of Christianity, class differences had sharpened and severe crises had occurred. Amid these crises responsible men and eloquent speakers emerged who were in empathy with the deprived classes and preached among them. By means of poetry and sermons they compared the life-styles of the aristocracy and the wealthy with those of the poor and deprived and persuaded the lower classes to organize. But those reformers did not possess codes of law and social plans which would have pro-

vided justice and ensured the rights of the deprived people. As a result, before they could even assume power they were eliminated; they were able to wrest power into their hands for a brief period of time but eventually yielded to the wealthy. Once governments which were representatives of the aristocrats and the wealthy sensed danger, they adopted such tactics as falsely promising reforms or enacting laws which provided temporarily some hope to the discontented. But as soon as the danger of rebellion, reduced by the use of such preventive measures, subsided the economic situation went back to what it was before.

Although ancient Greece was a center of civilization and science, it did not have a specific religion or universal beliefs and principles governing and binding all classes. Their beliefs were based on and bound up with vague imaginations of their previous tribal existence. After the Greeks settled and formed societies, the landowning and aristocratic classes which had become wealthy by means of trade and maritime transportation emerged as rulers. Before these rulers stood the deprived, the serfs, and the workers who constantly opposed and engaged in wars against the ruling class. This internal strife and opposition, along with external wars that constantly faced them, exposed Greek society to destruction and collapse. This situation became a source of inspiration to scholars and men of ideas to express opinions and devise theories and laws in order to establish justice and bring about unity.

### CONCEPTUALIZATION AND HYPOTHESES OF AN IDEAL STATE

A few of these philosophers and farsighted, reform-minded persons realized that neither ordinary government nor the laws of that time guaranteed social justice and secured public rights. They thought the way to achieve a just and harmonious society was to design a society and implant such an image and ideals that it would gradually gain acceptance and followers. Perhaps in some corner of the globe the plan could become a reality and its mental image would evolve to become a physical reality.

The first and most famous of these idealized societies is Plato's. Having become extremely angered by the oppression and cruelty of the ruling class and the social and economic injustices of Greek society which had sent an innocent man like Socrates to his death and seeing people suffer and under stress, Plato utilized his power of intellect and unparalleled mind to design a just and harmonious society. In *The Republic*, Plato has drawn with precision and powerful arguments the means of achieving such a government; in this work he considers the establishment and the maintenance of such an ideal state to be related exclusively to a proper and careful training of the rulers. He first divides persons possessing various aptitudes into three classes: (1) farmers and craftsmen, (2) auxiliaries, and (3) rulers; he considers specialization of labor and division of



classes in accordance with the people's various aptitudes to be the base and the foundation of the ideal state.

Plato then proceeds to describe the spiritual, physical, and ethical training of those who from their childhood possess an aptitude to rule and govern others. In his opinion once these individuals successfully pass tests at every educational and scientific level, the right to govern belongs to them. They must assume the affairs of the government. These individuals must be housed in a special location inside the country to live in tents or in military barracks and must not own property, houses or estate beyond the barest essentials. The simple houses must not have closets and storage space; ration and salaries which they would receive from the people must be enough for each year's needs with nothing extra. They should be aware that their souls are a precious treasury of divine gold and silver which are uncorruptible and unchanging and that they are able to do without earthly gold and silver that are liable to corruption. These potential rulers must not keep such objects under their roofs and they must not carry anything made of gold or silver, and they must refrain from eating and drinking from gold or silver dishes so that they will be able to safeguard perfectly the reserves of their carnal soul, the social order and the prescriptions of law. To obtain property and collect gold and silver are dangerous for all classes in such a society, particularly rulers who, if they accumulate gold and silver, will turn into farmers and money exchangers instead of rulers; the fire of hatred and greed might flare up among themselves and between them and the people. They would live constantly in fear of safeguarding their properties and gradually begin to covet the property of peasants and masses. Consequently, instead of acting like watchdogs they would be transformed into bloodthirsty wolves! Such rulers must watch over other classes so that the accumulation of wealth by some does not impoverish others, and that the hoarding of land, gold, and silver does not create disputes and rifts in the ideal state.

This is a brief look at Plato's theory with regard to ownership in the ideal state. We should note that Plato himself admitted the theory is absolutely impractical. At the end of his book, in response to a question asked by one of his students as to whether or not the plan was practical, he replied that if such a plan could not be implemented on earth, then it had to be the only form of a just government in heaven.

Once Plato had realized that the plan of *The Republic* was impractical and, moreover, that it was incomprehensible to the public, he wrote another book entitled *The Law* in which he described the concept of the ideal government in a manner easier for public comprehension and more suitable for practice, and provided a detailed legislative form. In *The Law* Plato considered limited ownership for the rulers permissible.

Aristotle was more concerned with practical realities and regarded Plato's theory as impractical and inadmissible, because Plato had restricted the role of

classes and individuals in the ideal state and, hence, he had ignored their happiness and freedom. Aristotle claimed if classes and individuals in a society were not free in their work and efforts and in expressing their talents, they would not be as interested in life as they ought to be and public happiness and welfare could not be safeguarded. Aristotle considers the country as an extended family and regards each family to be the foundation of the country. The same relations that are common among family members and between them and the head of the household must also prevail among the various classes of people and the government. According to Aristotle, wealth is a necessity for a family's livelihood and anything in excess should not be permitted. A job or a profession intended for collection and accumulation of wealth is wrong, even harmful. Trades and exchanges must be based upon the buyer's need for the commodity and the seller's need to dispense with that commodity, and not for the acquisition of wealth and money. Money is a means of exchange and must not become an instrument for collecting wealth or usury. If money becomes a means to accumulate wealth, disputes and disruptions would arise. Like his teacher Plato, Aristotle considers involvement by the professionals, craftsmen, and farmers in the affairs of the government inadmissible due to their special psychological and physical characteristics.

Another student of Socrates, Xenophanes (570-480 B.C.), stated that ownership meant having absolute freedom; he first attached importance to agriculture, then to commerce by way of maritime transport. He recommended that the government establish commercial enterprises and promote mining, particularly gold and silver, and that the government maintain control of them.

Among the legacy of ancient civilized countries and the Romans, before the influence of Christianity, we do not find independent and documented theories of ownership and economics. Roman theories followed those of Greek scholars and after the permeation of Christianity into Roman territories and Eastern Europe, economic conditions and the system of ownership were influenced by Christian teachings and adapted to natural and national customs. After the destruction of the Roman Empire by invading tribes and during the first part of the Middle Ages Europe fell into chaos, murder, and plunder. After peace and tranquillity were restored in the cities there followed a period of aristocracy, wealth, and splendor. In the littoral regions and vast lands of the European continent common professions for a long time consisted of thievery and plundering, farming or herding sheep and cattle. The only consolation the deprived people had were the teachings of Christianity that inspired a sense of mercy among the wealthy and the aristocracy. Only the religious leaders kept the people on the path of justice, fairness, sustenance, tolerance, and obedience to the laws of the Old Testament and the ethical rules of the New Testament. The religious leaders reproached the wealthy and the usurers and collected funds from them for the benefit of the poor, for charity and the churches' expenses. During the entire Middle Ages the church and the church coun-

cils were the source of judicial settlement of disputes as well as religious teachings. During this period most scholars and writers were Christian theologians whose source of ideas and thoughts were the prophetic revelations, at times mixed with the teachings of Greek scholars, particularly Aristotle.

Toward the end of the Middle Ages in Europe, following the consolidation and expansion of commerce and agriculture, the landlords, capitalists, and the wealthy emerged more powerful than ever. Usury and hoarding of money, gold, and silver became prevalent. The ruling classes relied upon and needed the capitalists and their wealth for the continuation of their authority and maintenance of the army. Class differences and economic disorder were on the rise. Amid such transformations and changes various economic theories emerged reflecting particular social conditions as well as the circumstances pertaining to the training and class orientation of the theoreticians. As a result, none of these theories was a description of general principles or offered a comprehensive solution. Some of them were in support of peasants and the poor while others supported the interests and rights of the aristocracy, landlords and merchants, or leaders of the Church.

From the end of the Middle Ages and the beginning of modern times, Europe was undergoing a historical transition; the discovery of America in 1492 had a profound impact on this transition. Amid these dramatic changes men of ideas demanding justice appeared, and since they considered the existing theories limited, inadequate, and ineffective for building a superior and just life, they instead preoccupied themselves with imaginary assumptions hoping they would be able to prepare the public mind for the building of a superior way of life.

### Sir Thomas More (1478-1535)

More was one of those who lost hope of establishing social justice on earth—in Europe—hence he constructed an imaginary country. The sweet memories of Plato's ideal state and the brotherly life of the early Christians, and the important impact of the discovery of America evoked thoughts of an ideal society in his conscience. As Prime Minister of England he resisted the injustices of the King of England and the Pope. For this act of disobedience he was deposed, tried, and condemned to death, and he died bravely. More's *Utopia* was published, after his death. In this book he describes the social structure of an imaginary island in the words of a ship's captain who has travelled around the world accompanied by several discoverers of the American continent. The captain, dissatisfied with injustices and wars, has come to the conclusion that wherever there is private ownership and money is used as a standard measure of value for everything, justice and happiness disappear; the best bounties of the earth would go to the worst and the ignoble, and a minority would divide the wealth among themselves while others lived in a quagmire of



poverty and suffering. On this island the captian would have the people work six hours a day and spend the rest of their time reading, discussing, and improving their spiritual life. Since the islanders would be aware of the dangers of gold and silver they would abhor them, using them only to make chains and yokes to shackle the guilty and criminals.

#### Thomas Campanella (1578-1639)

Also, among those who wanted to calm their indignant minds by perceiving an imaginary country and died wishing for such a country on the face of the earth was Thomas Campanella, an Italian priest, who had intended to revolt and, as a result, was condemned to spend twenty-seven years in prison. While serving his term he authored a book entitled *The Sun Country* where he describes a ship's captain who during his travels around the world succeeds in meeting a group of Indians taking refuge from the oppression and injustices of their rulers in a tropical area. These Indians possess a brotherly and communal life: the rooms in the houses, the beds and everything are communally shared. Once every six months the judicial council decides who should occupy a particular room and writes the person's name above it. They have everything and the means of livelihood are accessible to everyone, yet they are not anyone's property. The work, too, is divided equally and no one works for more than four hours a day. Food is plentiful, and the young take care of the elderly who live to be more than one-hundred, or even two-hundred years old. There are no servants and everyone has to carry out his own tasks. Murders, theft, and adultery do not exist—sin is not committed. What are considered to be sins are: laziness, ingratitude, lying, and grief. In *The Sun Country* the sun is respected and God worshipped. Their society is close to the one invisioned by Christ and Plato.

#### Denis Diderot (1713-1784)

Diderot in one of his books describes a journey to the mythical city of Otaiti. For example, the traveller says that the aged host, while seeing him off, had said, in effect: We are innocent and fortunate people and you will not be able to destroy our happiness. We live in accordance with nature's law and you cannot rub off nature's color from the mirror of our souls. Here everything belongs to everybody, so do not try uselessly with your speeches to impose ideas upon us which we are unable to comprehend. Whatever is needed for life's comfort belongs to us. Are we to be belittled for not wanting to accumulate in excess of our needs? Any time we feel hungry we have food, and when we are cold, we have clothes, and this is sufficient because if we go beyond this limit we would have to work hard for the rest of our lives.<sup>1</sup>

Theories and ideas of utopian communities emerged toward the end of the

Middle Ages and during the beginning of modern times and civilization. They indicated, on the one hand, a lack of legal, social, and economic principles capable of regulating every aspect of the modernizing countries which were evolving in the direction of urbanization from nomadic life. On the other hand, these theories and ideas of utopian communities were expressions of the widening gap and conflicts among classes which obliged men of thought and ideas to look for a solution to bring about order to that disorderly situation. Since conditions in those countries were in a state of flux, such men were unable to express specific ideas and opinions and propose specific, practical laws. All they could speculate and write about dealt with those principles and ideas which had remained in their minds from the earlier teachings of Greek scholars and Christianity. These principles and ideas did not harmonize with the European environment of that era and were impractical. Perforce they contented themselves with description of theories of an ideal state, hoping that conditions for their realization would be made available and that such hypothetical ideas could be established in some corner of the earth.

As was pointed out, in ancient Rome and Greece principles and regulations concerning ownership and economic relations did not exist. It was only after the spread of Christianity, sometimes mixed with Greek philosophy, particularly Aristotle's, that effective rules for regulating economic relations began to be used among people who followed its teachings. After the Renaissance—which began approximately in the middle of the fifteenth century at about the same time as printing—an unprecedented economic transformation occurred, concurrent with the transformation of ideas and science, the discovery of America, European access to the mineral wealth of the new continent and other continents, and the expansion of foreign and domestic trade. Europe, which was suddenly faced with new ideas and a new way of life, abandoned the teachings of Christ and the rule of the Church. Thus, Christian teachings or general and imaginary theories could not help them to bring forth ideas and methods to regulate and to adjust social and economic relations. Therefore, the thoughts of men of ideas were directed to finding limits to and prescriptions for order in the existing situation and possibly in the social and economic relations between classes. But principles and regulations derived from existing conditions could not stay fixed and unchanging everywhere and forever; naturally they had to change in accordance with social changes. And if we believe in fixed and general principles regarding economic relations (known as the science of economics) after the passage of many years since the birth of this science, we would find no more than a few principles around which other issues revolve.

### **Mercantilism**

Toward the end of the fifteenth century when urban living was expanding



in Europe and partial security was being established in cities, maritime transport enabled Europeans to travel to distant continents and gain access to vast domestic and foreign markets for commerce. Commercial goods were imported from and exported to every corner, and ships-full of gold and silver poured in from newly discovered America, Africa, and India. In such an atmosphere, men emerged who with mental and intellectual agility were able to inveigle gold and money from the public and governments. These new entrepreneurs furnished different ideas to achieve this purpose and believed in the supremacy of commerce and money over agriculture and industry. Subsequently, their methods and advice came to be known as the economic doctrine of trade or mercantilism.

### The Physiocrats

With the daily expansion of domestic and foreign commercial markets in Europe and the opening up of new sea lanes which were accompanied by the emergence of industries, concentration of money and wealth in the cities and expansion of the power of governments and policing authorities, the peasants migrated to the booming cities and were absorbed by governments, companies, and commercial centers. As money began to be used more frequently as a medium of exchange and commerce, and urban living flourished, the more barren grew agricultural lands and less villages flourished. The level of agricultural output declined. With the abundance of gold and money in cities, means of livelihood for the majority of people lessened. In such a social climate and against this background of public and economic relations, new ideas emerged. Because their proponents adhered to common principles they came to be known as the Physiocrats. The main principle of their theory was that agriculture was the only natural and increasing source of production. Commerce and industry, although useful, were sterile and unproductive, they maintained. They called merchants and artisans the 'sterile class', because their function was to collect commodities and raw materials. The manufacturer merely altered the shape of the raw material, then distributed it among the people. Agriculture, however, followed a multiplicative formula; a farmer spread the seed in the soil and what he reaped was a multiple of that he had planted. The merchant and manufacturer were dependent upon the farmer who in turn depended on the inexhaustible resources of the land. Agriculture, they decreed, was similar to the blood flowing in the body of society among different classes and individuals, and the benefit was returned to the farmer who in turn was connected to the land.

From this point of view the Physiocrats came to believe that the order of life in general must depend on natural order, and in society, economics and ethics could not be dissociated from each other. They defined natural order as follows: It is a self-evident order and can be understood by everyone; to com-

prehend the self-evident truths, one must be set free and be detached from the bounds of habit and acquired knowledge, (i.e., one must possess the spirit of Physiocracy). This order, they maintained, is beyond human will, scientific comprehension, and social contracts, and it is unchanging, eternal, and divine. For the sake of happiness of the society it must be studied, discovered, and put into practice. They would sometimes liken the social order to that of insects such as the honey bee; this likeness drew its roots from the Greeks. Plato in describing the ideal state compared the division and skills of various classes and their non-interference with one another to those of the honey bees and stated that non-working male bees were like the aristocratic class or parasites who make unjustified demands and consume the fruits of labor of the producing classes. They do not work and are lazy. One of the Physiocrats in one of his satirical poems also made use of this comparison until he angered some of the 'male bees' of his time and was compelled to justify his metaphor.

These were the general principles and scientific ideas of this group. Their practical contribution was the following: since the interest of society are provided for within the individual's interests, individuals must remain free as created in order to reveal their talents and initiate good relations amongst themselves. Competition at work must be unrestricted so that production and capital are increased and prices are determined naturally between the buyers and the sellers for mutual benefit. Work must be divided and categorized. The Physiocrats considered private ownership of land and natural resources to be legitimate.

Although the Physiocrats believed in freedom of work and domestic and foreign trade, they still supported government efforts in levying taxes and imposing restrictions when public interest warranted.

Because the Physiocrats were a group of thinkers and agreed on the same fundamental principles, they came to be known by this name. Owing to chaos and lack of a clear economic order at the time their ideas gained some currency. One of the most famous Physiocrats was Francois Quesnay, and their well-known slogan was, "Unfortunate is a country whose farmers are deprived and poor."<sup>2</sup>

The most serious shortcoming of their scientific ideas and practical methods was that they considered the social and economic orders to be related to a real natural order. The basis of the discovery and realization of such a natural order is unknown and subject to varied opinions. For this reason although their ideas at the beginning of the era of transformation were received with enthusiasm, and focused the attentions on economic issues and stimulated thought, they also became a source of conflicts and a subject of criticism and eventually a conclusive result was not realized. In fact, in some European countries such as France the spread of Physiocracy weakened the economic order.

In subsequent years, scholars and men of ideas began to debate, criticize, and eliminate some of the deficiencies and shortcomings in the Physiocrats' ideas after which attention began to be focused on the subject of value.



## Adam Smith (1722-1790)

During the first phase of the Industrial Revolution and the invention of the steam engine, concurrent with the spread of Physiocracy in France, certain classical schools of economic thought were flourishing in England. Adam Smith was one of the originators of the classical school. He initially specialized in the field of ethics, then studied the ideas of the Physiocrats (especially Quesnay) as well as other economic theories until he wrote an investigative and eloquent book using examples and statistics entitled *An Inquiry into the Origins and Causes of the Wealth of Nations*. The principal elements of Smith's ideas which can be discerned from the collection of his writings are as follows: the real order of society and economics is a 'natural order,' (as the Physiocrats believed) and this order is the same one which is molded in the free natures of individuals and societies. People are induced to work and put forth effort because of parsimonious need and personal interest. It follows that labor is divided automatically, and from the total labor performed order is restored and society will achieve its objectives.

Based on these principles Smith believed that all productive classes must be free to act, and the government, except in special cases, must not restrict the activities of individuals and classes. The government's duty is only to provide security and defense. With freedom of gainful and productive classes, the division of labor proceeds. The incentives of need and self interest provide for society's interest. This "incentive" is the "invisible hand" and the Divine Will which rules over human will and unconsciously motivates everyone toward fixed truth.

The orderliness of exchange, the laws of supply and demand, the general money situation, and increase in capital all rest upon this natural order and freedom. Also, competition like the principles of agricultural commerce and industry must be free because free competition leads to good management, regulates prices, improves the quality of products, and makes them plentiful to consumers. Whereas monopoly destroys good management, distorts the prices to the liking of the monopolists and compels people to consume at any price and in great quantity. Good management is a safe shelter for all classes. Since making profit is the main incentive for economic progress, the more ways to making a profit there are available to capitalists, the more progress will be made and the more wages will rise. Rent is also a return to fixed capital which is the consequence of a limited quantity of land and restricted ownership of productive land.

Unlike the Physiocrats who considered land to be the primary source of wealth, Smith considered labor to be the source of wealth and, moreover, commerce and industry to be productive as well. According to Smith, various classes in society are like parts of a machine, each assisting the other and collectively producing goods. Based on this principle labor must be divided, thereby in-

creasing cooperation among laborers. The more distinct the division of labor the greater a worker's skill in performing his work. When confronted with difficulties and problems at work, the worker would be inspired to seek solution. Correspondingly, division of labor would reduce the time spent on the job and production would rise.

Although Smith considered commerce and industry useful and productive, he placed special importance on agriculture and contended that most capital ought to be spent on agriculture. This, in turn, would influence and accelerate other sectors of the economy. He considered excessive expansion of commerce and industry to be harmful. It is on the basis of this principle that Smith believed that a solid economic foundation rests on the shoulders of workers. He paid attention to the value of labor and based real value largely on its power. Smith stated that the value of exchange depended upon the economic conditions of supply and demand. In his opinion the determinants of the real value of labor included skill, specialization, speed of production, the original capital, and the tools of production, but the value of exchange did not always equal the real and true value. Desires and necessities, purchasing power and excess demand drove up the prices, returning additional profits.

Once profits rise, more attention would be paid to the production of the commodity in demand and it would be supplied in excess of demand. The price may sometimes diminish below the real value. In any case, price would vary around the real value. Smith thought everyone would benefit in a free competitive market and more of a certain commodity would be supplied to the market. Everyone would be attracted to the job he was best capable of performing and in this way specialization would be achieved in every line of work (contrary to Plato's theory which considered human instinct to be the origin of interest in a line of work and the motive for specialization).

In summary, Adam Smith believed that absolute freedom in economic and social order was the natural order. Contrary to the Physiocrats who thought that the realization of such an order was possible by way of searching for self-evident truths, Smith believed in the natural order and asserted such a realization lay in freedom. Although his theories (including the subject of value) was ambiguous in some areas, they were new and unprecedented, attracted attention, and had a profound impact on the development of commerce and industry.

### Thomas Robert Malthus (1766-1834)

Thomas Malthus was born in England at the beginning of the era of industrial transformation amidst diverse ideas regarding solutions to increasing unemployment and frequent economic crises. It appears that his priesthood and Christian upbringing had been influential in making him sensitive and uneasy about the events of his time. Scrutinizing the situation closely he could



neither be as optimistic as Adam Smith and his peers nor perceive nature as a source of goodness and prosperity or the proposed solutions as adequate and effective. His inquiry into the reasons for injustice led him to the conclusion that the main reason for all human deprivations and social disorder was an unrestricted growth in population. Having realized this 'root' of societal illness, the inevitable solution was a prevention of an increase in population. He detailed his ideas in a treatise, *An Essay on the Principles of Population as it Affects the Future Improvement of Society*. His writings and ideas were severely criticized which compelled him to revise them. In summary, he insists that since population grows geometrically and food production grows arithmetically the amount of food available necessarily would continue to diminish. This phenomenon is the origin of all deprivation and disorder. It follows that blame does not rest with any particular class or group. Society's problems do not originate from capitalism or private ownership; the laws and regulations, too, do not help in this situation. The only solution to famine and the way to promote welfare is to prevent increase in population.

A mandatory method of preventing population growth, in Malthus's opinion, is to limit marriage and childbirth. Another is for individuals and groups to refrain from giving to charity and stop contributions except in limited cases. Donations should be given only to those who are working because charitable contributions lead to an increase in the number of nonworking individuals, the lazy, and the parasites. Malthus believed that the order and laws of society and nature also prevent population growth; wars, famine, and diseases which destroy excess population are useful and beneficial to mankind. The basic principle of this theory is the struggle for existence which inspired Charles Darwin.

Malthus believed that the structure of wages and production could be used to control an unrestricted growth of population; as wages increase and workers' welfare improves, fertility and reproduction will rise, and as this happens, wages will decline and unemployment rise, eliminating excess population. For example, given a fixed amount of land, the use of more fertilizer brings about an initial increase in profit; thereafter profit would decline in relation to expenditures leading to a decline in incomes (the law of diminishing returns).

Based on this analysis Malthus believed that people could benefit from life, but those who failed to follow these instructions and principles would automatically be ostracized from society. He says that those who are unfit to consume nature's bounties will be driven into oblivion and inflicted with poverty, hunger, and disease.

This is a summary of the theories and predictions of Malthus, whom some called a pessimist, and labeled his theory "the gloomy philosophy." His predictions about increase in population relative to food production turned out to be incorrect. With subsequent discovery of better means of agricultural production and the use of chemicals it has been proven that if natural resources are utilized by scientific means and the output is justly distributed among the peo-



ple, regardless of the rate of increase in population, people would not remain hungry and without adequate shelter. For instance, today many countries of the world are looking for solutions to their population problems and are not worried at all about feeding future generations. Instead they are concerned about moral decadence and women being pushed into social activities which have resulted in a decline in the birth rate.

### David Ricardo (1772-1823)

Ricardo is one of the most famous economists of the classical school and is the first person who studied economic principles employing mathematics, figures, and reasoning. He was a Spanish Jew who converted to Christianity and before becoming famous in economics, he was known as a mathematician, a wealthy landowner, a politician, and a member of the British Parliament. After he wrote *Principles of Political Economy and Taxation* in 1817, the title of "economist" was also added to his previous ones. He is the first economist to have raised the issue of distribution.

A summary of his ideas is as follows: the land, like the air, initially has no value; it is only when the best lands are possessed that they gain value. Therefore, rent (return to land) is a legal and legitimate right. Wage increases do not cause an improvement in the livelihood of wage earners, rather it is a source of increase in the number of workers which initiates food shortages. Since subsistence depends upon food, food shortages lead to a decline in workers' fertility and the number of births (the iron law of Malthus). With the increase in wages of workers and supervisors, rent declines. The output price is determined by competition. The origin of value is the power of production excluding rent. Capital is a part of value and hence differences and conflicts between workers and employers will take place. Because the power of production and labor is the source of value (Smith also expressed the same opinion) the relative quantity of labor is a measure of relative value. On foreign trade he expresses a few theories and considers free trade the foundation of exchange. Ricardo's ambiguous theories led to controversies and opened new channels of debate and discussion.

This is a brief summary of the scientific and practical principles in regards to ownership and its consequences (or, using modern terminology, the theories of economics) which have appeared in Europe. Until the Industrial Revolution opinions regarding economics centered largely around acceptance or rejection of these principles and theories. Under closer scrutiny it is seen that these theories were a by-product of the conditions of their era and were applicable to a particular place, and are no more than a few limited principles. They are not absolute or general. It is obvious that as the ability to think critically is utilized to ascertain nature's endowments, the importance of ownership, both qualitatively and quantitatively, will be enhanced and this will lead to new dif-

ficulties and complications. To solve these new complications new theories must appear. These new theories and the solutions they offer cannot be general scientific principles capable of being applied to any time and to any place.

## THE INDUSTRIAL REVOLUTION

From the middle of the eighteenth century, with the genesis of new inventions and industries, a rapid and sudden revolution took place in the industrial countries of Europe. If these changes, as before, had taken place gradually, perhaps the social conditions and economic factors would have been more in harmony with them, and equilibrium and interdependence among various classes would have been somewhat maintained.

The sudden revolution in industries and means of production opened new doors for the accumulation and concentration of financial power and concentration of wealth which in turn provided new means of seizing the earth's resources and quenching the thirst for profit and privilege. As a result of these desires, giant companies were formed for establishing factories. The introduction of all kinds of tools and industrial equipment deprived thousands of workers of economic opportunities. Some groups, thanks to the power of manufacturing industries which were controlling the wheels of production, found new opportunities in mining. Other groups lost the chance of even the smallest economic opportunities and the doors of opportunity were shut in their faces. The enormous capital placed at the disposal of the privileged and the cartels opened new avenues for luxury, privilege, and inordinate desires. The owners of capital easily earned substantial profits and their only "inconvenience" was to determine ways to spend the money they acquired. The thunder and lightning of inventions and the roar of the turning wheels of production attracted the complete attention of the public and the intellectuals. While powerful minds began to work to perfect new industries and inventions, considerations of the principles of religion, ethics, and social welfare were abandoned. Amid magnificence, glory, splendor, and amusements, and the flames and smoke of greed and covetousness, and the cacophony of new inventions, the cries of the deprived fell on deaf ears. Even the warnings of the men of religion and justice were not listened to. The kind of trust and friendship that the men of God had once established in society and the sort of intimacy and mercifulness which had once connected the hearts of men gave way to vindictiveness, suspicion, and animosity. The bond of faith, namely the bond of unity and cooperation, weakened and broke. Human conscience ceased to function and the feeling of mercy disappeared while the darkness of greed, egotism, and profitseeking tarnished intellects and blinded eyes. The unlucky and the deprived, who saw their very existence exposed to the draught of covetousness of the greedy, laid in wait for their oppressors, and the headstrong, covetous



men erected palaces with the blood of their victims and danced on their corpses. Whatever it was and whatever happened, day-by-day doors of mercy, happiness, peace, and tranquillity were further shut and the doors of hell, hatred, and war opened. The two poles, the rich and the poor, the worker and the employer, joined ranks and lined up against each other. The more the owners of power felt the impending danger, the more ruthless they became. The more pressure and deprivation increased, the more the sense of vengeance intensified and the nerves of those under pressure became sensitive. In addition to deprivation and differences in lifestyles, the masses' lack of accessibility to the means of production, the breaking off of spiritual relations and bonds of faith, and the decline of morality severely shook society's equilibrium and harmony.

It is not only poverty and deprivation that destroys equilibrium and creates opposing poles; poverty, deprivation, and differences had always existed within nations, but never had there been such a huge difference. Differences with respect to the necessities of life had previously been of limited magnitude and the public had access to areas of work and nature's largesse. Before this rapid change financial privileges belonged solely to those related to royal courts, the ruling class, and the aristocracy (the feudals). Since such privileges were considered hereditary or divinely ordained they did not appear to be too objectionable to the masses. But after the Industrial Revolution and the dispersion of wealth among those who did not previously possess such privileges, and upon the exposure to the eyes of the public the splendor, luxuries and magnificent lifestyles of the privileged class, the fires of discontent, competition, and deprivation grew as if fanned. Such discontent and anger cannot be attributed just to poverty and the need for necessities; the standard of life of a worker, craftsman, and farmer in the aftermath of the Industrial Revolution did not deteriorate relative to the past, and in a sense it even became better than the standard of living of former kings. Prior to the Industrial Revolution monarchs did not have access to a number of luxuries which many people of the post-Industrial Revolution enjoy—they did not, for example, have access to automobiles, electricity, and recreational facilities. It was the overall displacement in life's relative equilibrium and the emergence of luxury, diversions, and anticipation of privileges that brought about sharpened feelings of deprivation and class antagonism.

Another reason whose impact on life's equilibrium was no less than the reasons cited above was the deprivation of economic opportunities brought forth by inventions and industrialization. Small production tools of the pre-Industrial Revolution era had allowed each individual and group to remain independent or dependent only on his own work. This created in each person's inner self a feeling of contentment. The rise of large factories removed this sense of independence and self worth. A factory worker, regardless of wages and his standard of living, still considers himself dependent and in need of external support. Unlike in the past he does not feel that others need him.

Unemployment and a lack of accessibility to the means of production by a worker makes him aware of the value of his independence and allows him to acquire a sense of self respect so that he might want to prove his independence and to make employers understand: "You need me!" Of course, pretending to have such independence is not possible; the workers must unite and organize, and sometimes strike in order to maintain their identity and demonstrate their independence. Since individually they lack the will and are helpless against industry and shareholder power, they must organize themselves into unions.

What further intensified these crises and flared the fires of greed, hatred, and competition was a decline in the moral values of various classes. As was mentioned before, dispersion of wealth into the hands of the public at large and the rise of luxury and lust and diversion of minds to collecting, hoarding, and acquisition of wealth for their own sake, severed cultural and spiritual bonds and weakened virtues, honor, self-respect, and faith. Deviations of religious institutions and life in the name of religion, and religious leaders shielding the owners of power and wealth, the public's deprivation of liberty, and propagation of unscrupulous ideas and superstitions—all these became a prelude to revolution, change, and reaction in Europe. Since the reliance on faith vanished, the role of ethics and spirituality weakened. The industrial revolution made people more angry and pessimistic.

The following is a summary of factors which caused a collapse of social order and brought about disturbances in the aftermath of the Industrial Revolution:

1. Wealth became concentrated among fewer groups;
2. Most craftsmen and farmers were denied access to natural resources and self-employment;
3. As a consequence of people congregating in the cities and the rise of luxury consumption, a multiplicity of desires and wants were generated;
4. Workers' and farmers' independence or identity was weakened;
5. Public consciousness as a consequence of closer contact among people and civilization progressed.
6. Malpractice and superstition of the proponents of religion resulted in a pessimistic and adverse reaction against religion which weakened further the foundation of ethics and spiritual relations.

These are a few examples of the consequences of industrialization and the rise of a new civilization. As a result of industrialization, socioeconomic equilibrium and harmony vanished and the old relationships among the various classes were sundered.

## NOTES

1. Denis Diderot, "Supplement au Voyage de Bougainville," publié d'après le manuscrit de Leningrad, with an introduction and notes by Gilbert Chinard (Paris: Librairie E. Droz, 1935). This passage has been translated from Taleqani's condensed version. (tr)

2. Translated from the Persian translation of the original French text. No reference to the French or the Persian source is mentioned by the author. (tr)



## II

# The Emergence of Labor Power

Amid such dispersion, confrontation, and apprehension the seed of a united force was beginning to form in the womb of industrial institutions. This unifying power was the very same labor power which became transformed into an active force.

Before the rise of large factories in Europe craftsmen were scattered among many villages and towns. Each performed his small job in houses and in the open air while his wife and children helped him. Such craftsmen usually possessed a farm and garden whose psychological and physical fruits they enjoyed. After consuming a part of what they had manufactured and grown, they sold the remainder to obtain other necessities. Under the rays of the sun and amidst the fresh air and family warmth and kindness, they lived a quiet and happy life. Desires were few; spirits, satisfied; bodies, healthy; and faith and ethics alive. On plantations and in churches and social gatherings they lived independent and in a spirit of sincerity, and the spiritual fathers fanned the spirit of kindness and hope into their hearts soothing them in the name of Christ, peace be upon him. If among them were found those with more capital, they too were craftsmen and farmers who purchased products manufactured and farmed by others and, when necessary, provided them with loans and pre-purchase agreements.

From the middle of the eighteenth century with the creation of industries and inventions and, along with it, acceleration of exploitation, this calm and secure life was transformed into a life of anxiety and stress. Workers and farmers poured into the cities from the villages and mountains and gathered in

the midst of noisy, smoky factories and a polluted environment. Away from the warm kindness of wife and children, they lived beside the huge and rough wheels of factories. This revolution occurred abruptly and it is called the Industrial Revolution; it first started in England, then spread to other European countries.

The French Revolution and the Napoleonic wars preoccupied other countries of Europe, while England developed and progressed.

The first invention in the weaving industry was made by James Hargreaves (d. 1778) in 1770, followed by Richard Arkwright's invention of the water-frame, and then James Watt opened the way to the use of steam power in 1769. The discoveries of hydro-pressure and then steam power followed by electricity wrested power from the hands of the workers.

Although the governments and capitalists benefited enormously from the Industrial Revolution, which allowed them to amass wealth and expand their influence, the condition of the masses of people and workers deteriorated; pressure on them increased, wages declined, heavy taxes were levied on them and prices increased. These workers witnessed from close proximity that the products of their labor ended up in the pockets of those who lived in palaces in comfort and affluence. The advantage of these workers over the workers before the Industrial Revolution was that they now lived closer together and under the same roof; this closeness and cooperation gradually created in them a special spiritual and ethical state, and with respect to their ways of thinking and morality, they became a distinguished and united group. Industrial and capitalist pressures further consolidated their ranks. Subsequently, group resistance began and a united front of workers of the same mind emerged from the bowels of the industrial nations. At the beginning of the birth of this baby governments and capitalists used all their power to choke and stifle worker unity, but this resulted in the power of the workers becoming even more concentrated and all workers put aside racial and national differences and cooperated to obtain concessions and solidarity. In the year 1825 workers' unions were recognized and established in all the industrial nations. They selected representatives to negotiate for wages and to express concern over working and health conditions, and obliged governments to carry out recommended measures. If governments neglected to carry out union demands, they resorted to the weapon of strikes, using their monthly dues to finance them. Sometimes the hardships of life forced them to back down from their demands and at other times the industrialists gave in; but the overall outcome benefitted the workers.

In countries such as England workers possessed communal independence and depended on social cooperation, and in spite of rapid development of industries, noticeable social differences and gaps did not occur and labor was in harmony with industrial progress. Amid such changes and social conditions, workers and wage-earners were beginning to participate as accepted members of society. In countries where there was concern with labor conditions and pro-

visions for livelihood, the working class possessed social organizations, selected representatives, and attained a certain status in society. In countries less concerned with workers' grievances and where weaker social cooperation existed, workers became a distinct and separate class opposing the industrialists and capitalists. In such conditions ambitious men and those seeking positions of leadership took advantage of the chaotic situation, the dissatisfaction, and the workers' solidarity to write articles and give speeches depicting the wretched life-style and lack of workers' rights, and compared them with those of the capitalists and the employers.

Rapid industrial development and the steady increase in workers' power and solidarity became a source of ideas utilized to benefit and to support this active class. The perceptions of utopia which were derived largely from Greek thought and Christian teachings—which had given adherents ideas, but with no power to realize them—were gradually being forgotten. Now they re-emerged amid the industrial and social changes in Europe. This time the united masses of workers were susceptible to these theories and willing to support them. In addition, they wielded unprecedented power, having obtained a grip on the wheels of industry.

The proponents of the freedom of ownership (most of whom had their origins in the pre-industrial age and belonged to the classical school) generally were in agreement on the right to private ownership and considered freedom of individual ownership to be in the interest of society. From this point of view a society does not possess an identity separate from that of the individuals forming the society (contrary to present day Communists who assign an independent identity to society). Collectivists consider that individual and class interests, social justice, and equality must originate from the State. Despite differences of opinion among them they agree on such issues as: (1) ownership, before representing individual's desire for things, pertains to economic, social, and political relationships; (2) individual ownership and economic relations are bound within the realm of general social and political relations, and change in social structure and governments ought to occur in relation to public interest; and (3) the government must represent the public's welfare and take active part in public works and ownership so that it is able to provide for public welfare and eliminate class differences. The differences among Collectivists concern the means of achieving such a government. Some advocate revolution while others maintain that power should be obtained by working within the existing legal and social order. Another point of contention among them is with respect to the limits of government intervention and the extent to which private ownership may be denied to individuals.

These two opposing theories, "absolute individual freedom and private ownership," and "constraint on individuals and a communal and social ownership," have irreconcilably and distinctly confronted each other since the end of the eighteenth century. A look at the history of western industrial transforma-



tions reveals that theories of collectivism in their latter forms appear at the beginning of industrial transformation. As social and industrial transformation continued the proponents of social and industrial collectivism increased and their ideas converged.

### John Locke (1632-1704)

Locke says that God bestowed the land free to all men, and anyone who works on a piece of land is its owner. The principal issue here rests on land and work.

### Jean Jacques Rousseau (1712-78)

Rousseau believed that nature and man's superior instinct (*fetrat*) are his foundation of happiness.<sup>1</sup> In every dimension one must return to nature and to superior instinct and the laws and principles of ownership must conform to nature. He believed that in the state of nature people possess equal rights. Private ownership, regulations, luxury and restrictions have become a source of difficulty and deprivation. If we were to point at the first criminal who originated all crime, Rousseau says, we must say that it is the person who for the first time fenced in a piece of land calling it "my property." All of the miserable laws and restrictions emanated from this concept. Anyone who abolishes the concept of "my property" and destroys the wall and fence will serve society best. Rousseau then confesses that abolition of private property and a return to superior instinct and nature are impossible, but one must try to restrict property ownership as much as possible and create obstacles (i.e., regulations) in its course of expansion, incorporating it into public welfare so that certain people would not be able to use their wealth to purchase other's intellectual and physical abilities while some people remained so poor that they would have to sell their physical abilities to secure livelihood.

### Maximilian de Robespierre (1758-1794)

Robespierre was one of the leaders of the French Revolution and a disciple of Rousseau. He maintained that since absolute equality and the abolition of private property were impossible, the law must restrict ownership and limit its duration. That is, ownership is to be allowed during an individual's lifetime and after the person's death his property should belong to the state and no one should have the right of inheritance. Such ideas and theories are considered to be the reasons for as well as the prelude to the French Revolution.<sup>2</sup>

### Francois Noel Babeuf (1760-1769)

Babeuf stated that people have equal rights to property and that private



property and inheritance must be abolished.

### Count Henry de Saint-Simon (1760-1825)

Saint-Simon advocated that a supreme religious council (following the church's defeat) must supervise people to ensure equality and safeguard people's rights. A parliamentary government should be established and industries should be owned by the government. Feudal lords had no right to own property and ownership must be limited to the type of work performed. Saint-Simon was a French thinker whose ideas became the focus of a special school of thought.

### Johann Gottlieb Fichte (1762-1814)

A German philosopher, Fichte described ownership to be relationship between man and useful objects or a contract among people. He recommended equal distribution of work and wealth, and said that governments should stabilize prices. He regarded government responsible for regulating the economy (the German National Socialist Party is founded on his ideas).

### Jeremy Bentham (1749-1832)

Bentham was a renowned lawyer and legislator who declared that ownership is a creation of law and has its roots in human nature and in metaphysics. Since natural endowments are meant equally for everyone, by law they must be divided equally and in accordance with people's abilities.

### Pierre Joseph Proudhon (1809-65)

Proudhon was a French thinker adamantly opposed to private ownership of land and strongly in favor of giving workers their rights. He believed that those who took ownership of tracts of land, and the employers who did not pay the workers an amount equal to the value of their labor, were transgressors and thieves. Society, he maintained, must rest on the basis of individual right of ownership to the products of their labor. Governments support oppressors and those who transgress on others' rights. Therefore, managing the affairs of people should be taken away from governments and entrusted to the people so that unity and order may be restored.

### Louis Blanc (1811-82)

A French socialist and historian, Blanc did not believe in the equality of abilities and talents. He rejected the notion of the equality of professions and

the benefits accruing from work. Blanc coined the well-known phrase, "from everyone according to his ability and to everyone according to his need," which later became the slogan for most socialists. He proclaimed that the only way to perfect people and society was to implement this slogan. He exhorted workers to form their own government in order to reach this goal and obtain their rights.

### Karl Marx (1818-84)

Marx was born into a Jewish Prussian family and grew up amidst the rapid industrial changes of the mid-nineteenth century which saw unemployment crises and the accompanying stress on workers. Dissatisfaction and a state of readiness for revolution, especially in Germany, resulting from workers' organization had permeated to other classes. Various parties and groups were organized to assist and lead workers in obtaining their rights. One such group was the *League of the Just*, established in Germany, which with the intellectual collaboration of Marx and his colleague, Engels, issued a tract in 1848 which has become known as *The Communist Manifesto*. It included a statement of principles and a call for action. In the *Manifesto* the class struggle between capitalists and workers and toilers (the proletariat) is spelled out in historical terms and predicts the victory of the deprived people once they have been able to obtain control over the means of production. It urges the workers to unite and break their chains.

Once the revolutionary movements predicted by Marx failed to occur, he was exiled from Germany and lived a hard life in England writing articles and working as a newspaper reporter. He began to revise and complete his theories until the first volume of *Das Kapital* was published in 1877. After Marx's death the second and third volumes were published during 1885 to 1895 by Engels. These publications, which have been translated into different languages, among other theories and changes had a profound impact on the spread of socialism and provided it with documentary support and justification.

The above discussion of ideas and theories of various thinkers summarizes the theories that have appeared from the dawn of the Industrial Revolution. In regard to these theories, and keeping in mind the social conditions and economic environment in the West, it is certain that all or most of them are derived from the thoughts of scholars within a limited subject area, and cannot be considered as absolute and eternal. Since the purpose of this volume is to describe Islam's view of ownership and its system, we are compelled to leave this brief review and further inquiry into these ideas—with their inherent contradictions, shortcomings, and solutions—to the experts. Perhaps the proponents of these ideas themselves do not consider them as universal and absolute; only Karl Marx has based his theories on the foundation of class struggle with generalizations applicable both to the past and future. Marx also introduc-

ed historical materialism and by so doing expanded the domain of contradiction and motion to the principles of creation and the universe.

## NOTES

1. Jean-Jacques Rousseau is an eighteenth century philosopher whose ideas and opinions profoundly influenced the French Revolution. He firmly believed in God, though he was pessimistic about the organization of the church.

Rousseau believes that human nature has been created pure, free, and happy; it is society that enslaves man, makes him miserable and impure, and ties chains and bridles of laws around his neck. Through these chains and bridles, he maintains, man is turned into the hewer of wood for others. Since these bonds of laws cannot be completely broken man must submit only to a society that he himself has fashioned and seek liberty within that society's freedom. Man must establish the foundation of governments. Kings have no hereditary or Divine right. Human civilization causes greater and greater corruption, bondage, and impurity as it progresses. Literature, art, and theatre are attributes of corruption, he maintains, because these are instruments and attributes of luxury. Luxuries are the outcome of wealth and inequality where one group plunders the rest and provides for itself with instruments of luxury.

Rousseau went through various phases in his life. In *The Confession of J. J. Rousseau: with the Reveries of the Solitary Walker* he describes the first phase of his life. In *Social Contract* he describes his social and political views. During the last years of his life he became so suspicious that he imagined every action or criticism was an insult to him.

2. The French Revolution which began in 1789 was a consequence of the Industrial Revolution and ideas spawned by it and ended in 1795. If the leaders of the Revolution were asked about the exact aims of the revolution, they would have responded only with a few negative slogans such as "no capitalism," "no monarchy," "no ownership," and "no church." Relying upon these negative slogans the revolution began with a flood of blood and fire. The revolution's wounded and mad viper twisted and turned killing those near and afar, friends and adversaries. It would even bite its own organs out of fierce anger.

In the midst of the crises of the revolution the government stood behind the guillotine and the barrel of the cannon. Different groups held the handle of the guillotine or sat behind cannon carts at different times! A few soldiers of the revolution such as Robespierre, whose ideas were discussed earlier, eliminated their rivals and believed that revolution must continue until land, labor, and the means of production were equally distributed among the people. He, too, was sent to the guillotine.

In 1815, after he had exhausted the last breath of life from France through his military expedition, Napoleon was sent to exile and the revolution ceased. In the French Revolution the King and the Queen were both sent to the guillotine and the title of monarchy was abolished. The capitalists lost their property. In the name of the victory of reason people plundered churches, imprisoned or sent priests to the guillotine, church bells were [melted down and] made into cannons and muskets, but ultimately a self-willed despot like Napoleon was enthroned with fanfare! Property passed to new landlords. In 1807 the civil law was codified and signed by Napoleon. Article Two proclaimed that ownership was an inalienable and holy right of man!

The doors of the churches were reopened with much more splendor and church bells began to toll. The outcome of all that bloodshed was nothing but a change in outward appearances, titles, and names. Why? Because [the revolutionaries] had no clear aims and plans. [It should be men-

tioned in passing that) underlying human passion and sentiments and momentary conditions are ideas and intrinsic human tendencies. Change in activity is gradual and related to other factors: "Lo Allah changeth not the condition of a folk until they (first) change that which is in their hearts" (XIII: 11).

A positive outcome of the French Revolution was the recognition that agitation and revolution were not constructive. Thereafter minds and intellects were directed toward practical social and economic doctrines.



# III

## Marx's Ideas

Marx cast his theory in philosophical, historical, general, and universal terms, and has found in every country followers who consider his ideas as fixed and universal. Societies and governments have been established on the basis of his ideas. It is therefore, important to devote as much attention as possible to his ideas and study them in this volume so that the concepts upon which Marx's theories are built and other ideas that are derived from them are explained fully. Marx's genius was that he was able to classify the scattered ideas and thoughts of the classical socialists and complete them with his own theories based on the principles of the contradiction of historical materialism (dialectics),<sup>1</sup> and place the entire natural, economic, social, scientific, and religious issues and changes on this foundation.

In summary, Marx's natural and historical dialectic is that nature and its phenomena are continuously in a state of motion and evolution. Interpretation and description of any phenomenon is related to the totality of events and transformations which have occurred in the past and the hidden contradictions within it. Economic and social conditions are but a manifestation of economic contradictions, continuous evolving and transforming of which will lead to a collectivist order. Therefore, just as the will and human intellect do not affect the natural order, but rather are subject to it, they are subject to the social order as well. It is not human thought, will, and action which bring about circumstances and conditions, but automatic and autonomous economic situations which shape thought, ideas, and the environment. The economic infrastructure consists of the means and the force of production which began with

human hand and body, then encompassed rocks and woods, and advanced to bows and arrows, the axe, the ploughshare, steam power, electricity, etc. On this base, economic and social changes, beginning with early communes, feudalism, and bourgeois capitalism advanced toward socialism and eventually communism. The intellectual, political, legal, and religious institutions, it is maintained, are reflections of the depth of such an evolution. The forces of production and the productive classes and the contradictions between them are the dynamic forces of history. In the womb of every stage of production contradiction is formed, and once it has reached maturity it negates the previous stage, and along with it the structure of ownership and those protecting it alter.

Marx and his followers consider this material and historical interpretation to be the only true and main source of events and consider any doubt and hesitation regarding this interpretation as doubting the real causes. They regard any other theory and interpretation as "imaginary," and "unrealistic." And this "cudgel of heresy and calling one a fool," is preferred over any theory which opposes theirs. In all their books and interpretive essays—on every page and line—the evidence for this "modern-century cudgel of heresy" can be observed. Intellectual vanity and prejudice can be observed among laymen as well as scholars of every belief, principle, and ideal. Each group is accustomed to and fond of its own ideas while considering his opponents' ideas "erroneous" and "*fantastical*" and considers only the product of their own intellect as "beautiful," "polished," and "realistic." Nevertheless, if arch-followers of Marxist theories would allow me (and not condemn me at once with their "cudgel of heresy" and charges of "visionary," "idealist," and "unrealist,") I will provide my critical comments, and if I am mistaken in my understanding and criticism, I look for their guidance. My intention is to examine the economic and social issues of Marxism, and if reference is made to its general philosophical issues it will only be parenthetical to its economic and philosophical discussion.

What makes agreement with Marx so easy is that his economic and social principles and laws are supported by historical facts and not based on hypothetical and subjective premises. Therefore, if these laws and principles are verified in their historical aspects, their effects, requirements and components will also be verified with respect to the past, present and future. But if their validity is not proven, or their invalidity is proven, then the superstructure and the branches would be shaken or destroyed. In that case, one must change the methodology of reasoning in order to find the causes of historical and economic events and a system which would conform to the determinable reality.

What is certain and generally agreed upon is that every occurrence or event is based on a cause or causes; the differences of opinion originate in a search for truths and circumstances surrounding a cause or causes. Marxism, as was pointed out, considers matter as the cause of historical events as in natural events. From this aspect, since humans are also a part of nature and history,

physically they consist of matter, and intellectually and ideologically they are the result of historical dialectics. The question which arises here is that according to the law of causality what causes the movement of history and all of its components? Marx's answer is: it is the means of production which have become the source of class conflict and movement in history. Contradictions and antagonisms within existing classes gradually grow until abruptly they burst the upper crust and destroy it. From Marx's viewpoint this constitutes the cause of causes, and is a by-product of historical and social change. Man has no influence or voice in this powerful and inevitable process in spite of the fact that this occurrence is not accidental.

If this is Marxism, the first issue which arises and comes to occupy everyone's mind (particularly those who shirk responsibility) is precisely the removal of responsibility from man's shoulders and submission to historical determinism. Otherwise the question still remaining is that according to the principle of causality what is the reason for the appearance of the means of production and the emergence of contradictions? The Marxists respond: acquisition of the means of production has been the initial cause which has created capitalism and built the class structure. It is this which brings about contradictory movement and will lead to explosion. This combination of contradiction and change, they maintain, proceeds forward until the means of production are returned to the hands of the forces of production in a more complete form and signals the beginning of socialist society or socialism itself. Therefore, before the existence of the means of production there was stagnation. But how have the means of production become possessed by people and for what reasons? Have they been possessed of themselves or has man acquired them? Necessarily, human experience and intellect have been a factor.

Let us now examine these propositions. Diversification and historical evolution, from the Marxian point of view, are the effects of these initial causes: the emergence of the means of production, confiscation and misappropriation by a particular class, and denying access to the means of production and their benefits to the producing class. These causes, taken together, lead to conflicts among classes and history's motion begins. Therefore, if these causes had not taken place and conflicts had not arisen, then the process of history would have been halted! Ultimately, when workers and wage earners become owners of the means of production and socialism is completely established and class conflict has ceased to exist, then history's motion and hence evolution must also come to a halt! We expect a clear answer from the world-viewing Marxist scholars.

Since the proponents of theory of historical materialism consider thought and intellect a reflection of the economic and historical moods and manifestations, they cannot possibly believe in an absolute truth. Then how do they consider their theory to be absolute, eternal, and everlasting? Since there is no convincing and clear answer to this question, one must, by resorting to the very same Marxian principles which state that every subjective phenomenon is a



reflection of its time and economic stage, announce that Marxian theories and those of his followers are also a reflection and a by-product of a particular economic stage and social system and cannot be everlasting, eternal, and absolute.

As was pointed out earlier, from the middle of the eighteenth century industrial changes gradually began to appear in Europe, and at the beginning of the nineteenth century changes in economic and social conditions were so rapid that they moved faster than policy makers and men of ideas. This situation (which in comparison to the length of man's mysterious, eternal, and everlasting history can be considered only a fraction of a second) presents a narrow scale for judging and evaluating changes. Marx prescribed this narrow scale in the form of a law governing changes in social affairs everywhere—from the beginning to the end. How could these limited prescriptions and principles pass as universal laws of existence and change from the dawn of man, when no one can claim to have a definite knowledge of life before recorded history of mankind? If to understand the past we have to find polished stones, spears, and wood from within the dark and ambiguous depths of history and use them as a scale for measuring changes, then what should be conjectured and what courses ought to be found about events in the infinite future? It is not necessary to go back in history or jump into the infinite future; nineteenth century to the present is before our eyes and we can see how fully these predictions have become a reality. In countries such as England, Germany, and France, as the forces of production advanced they moved further away from the explosive socialist and communist revolution. The origin of the Russian revolution was neither a perfection of the means of production nor a result of internal economic conflict or revolution of opposing classes. It occurred in an environment of tyranny and repression by the ruling elite and amidst a war by the military forces. It was after the Russian Revolution that the Industrial Revolution took place in Russia. If the Industrial Revolution had taken place before the October revolution, the Russian Revolution would not have occurred.

### MARXIAN VIEW OF RELIGION

The Marxist point of view is that economic and social conditions are the sources of phenomena in life and no other theory is true. Therefore, a Marxist always attempts to discover or justify relationships between economic conditions and ideas, society, and religion.

By and large, materialists have justified the reasons for the emergence of religious beliefs among nations—from the dawn of history and in any form—as part of human weakness and ignorance before the force of nature and its mysteries. According to this interpretation, as long as man is weak and ignorant he will possess such beliefs. If we take into consideration the amount of scien-



tific ability and capability for discovery of the secrets of nature on man's part and weigh it against his impotence before death, disease, and natural calamities, we must have enough sense to perceive the insignificance of that which has been discovered of the secrets of creation in comparison to the unknowns. We must confess to man's egotism, weakness, and ignorance. And if the reason for the emergence and permanence of religious beliefs is merely man's impotence and weakness, then everyone must forever believe in religion. Since true scholars are also intelligent people and realize their insignificance and weakness before the mysteries of the universe, they must have even firmer religious beliefs. This reasoning, true or not, has nothing to do with economic issues. Marxism resorts to a different justification and says: religion is a phenomenon which has emerged from the minds and the environments of the poor and those who have suffered, in order to provide them with consolation against their miseries. It acts as a breathing valve for the deprived and gives hope to the hopeless.

According to this justification the phenomenon of religion has emerged from among the deprived, the dejected, and the suffering classes in society. Is this justification supported by historical facts? History clearly shows that religious beliefs have always been present among all classes, and religious adherents have never belonged to a specific class. Many kings, capitalists, and rulers have followed the prophets and some have given their wealth, power, and even lives for the sake of religion.

Was there no religious belief in early collectivist societies prior to the appearance of class conflicts? Since Marxism has realized that its justification is not supported by historical facts, it has resorted to another explanation and justification. It maintains that religion is a phenomenon related to capitalism and supported by rulers and guardians of capitalism as a shield for guarding themselves while stupefying the minds of the deprived, satisfying the poor, and providing opium to the toilers that keep them happy, satisfied, content, and unrebelling until they have forgotten their rights. They would be thus in the hope of spiritual rewards and rely on fate; they would yield to any miserable form of existence.

It cannot be denied that religions have on occasions diverged from the principles which were initially proclaimed by the prophets. More often than not religion became an instrument of oppression, injustice, and repression. But can this be attributed to the righteous principles of religion itself? An oppressor would resort to anything—money, weapons, and manpower—and to propagandistic means such as books, publications, artistic talents, and poetry in order to strengthen his oppressive power. Religion, too, is one such instrument. If we consider all these phenomena as a manifestation of the capitalist class and its rulers and guardians, then religion ought to be considered as another such phenomenon. The history of religious movements and the accounts which exist of the lives of the prophets are undeniable testimony that those who called for

justice rebelled against oppressive rulers and kings. They were supporters of the deprived, the oppressed, and the outcasts. The first to respond to the call of God's prophets were the deprived and outcasts. It was they who wholeheartedly accepted the call of the prophets and defended it by giving generously of their blood and wealth. With their pure hearts and minds, they nourished the innate calls of the prophets to worship God and carried the banner of freedom to the four corners of the world. Little evidence can be seen in the history of religion that those who initially accepted the calls of the prophets came from among rulers, capitalists, or kings. Indeed, this latter class was in the forefront of opposition while the followers of the prophets were tortured, killed, and suffered at the hands of this class. Were the first enemies of Abraham, Moses and Jesus not Nimrod, Pharaoh, the wealthy Jews, and the Roman emperors? Did not hostilities against the call of Islam come from the wealthy, the usurer, and the aristocracy of the Quraysh? Were they not the rulers of the east and west who after the first period of the Islamic movement brought their forces against the expansion of Islam causing bloody wars? Did not the followers of Christ and his apostles and the first groups of Muslims come from among the poor classes? These are undeniable facts of history.

The Marxian justifications about the phenomena of religion are neither supported by documents nor do they rest upon historical and social facts and human nature. More than anything else, the primary source of human belief—correct or incorrect—is the instinctive search for understanding the causes and reasons for events, an escape from mortality, and acquisition of immortality and a feeling of responsibility. In this instinct all men are similar. It is within the realm of acquired knowledge—thinking and reasoning—that differences and divergence of ideas occur. The initial calls by the prophets were based upon this instinctive perception and stimulation. Diversification and evolution of religion bear no relationship to economic changes. The claim that religion at first was local and tribal, and then was used by emperors to expand their domain worldwide, is not borne out by the prophetic texts and historical facts. The Qur'anic verses and the explicit call of Islam are clear testimonies that from the very same isolated environment of Arabia the message of Islam was universal.

## PHILOSOPHY AND SCIENCE

In Marxism, philosophy and science, like other facets of life, are the product and consequence of infrastructure and changes in the means of production. This is Marxism in a nutshell. In order to justify this, Marxists have provided reasons and evidence based on their confined outlook. Their reasoning is based on a principle that man, like other creatures, is totally subject to and is a creation of natural elements and the environment; he possesses no free will or



independent thought. Based on this view there are no specific boundaries or characteristics of man as distinguished from those of other creatures and no inclusive and exclusive definition exists to separate him from his environment and society.<sup>2</sup> Only the principles of dialectics, motion, and instability govern natural beings as well as the universe and man and blends them together.

One cannot deny, however, that man has a mysterious physical and spiritual composition and possesses mental and voluntary characteristics that distinguish him from other creatures. Nature with all its spectacles and creature is governed by specific and particular laws and systems and does not diverge from them. It is only man who, after undergoing various stages of evolution, faces a vast and unlimited opportunity for voluntary changes and mental transformations. It is only man who can describe and conceive the notion of time and change in nature. If man is removed from nature nothing except nature and natural creatures with their slow and limited evolution will be left. Being enmeshed in perpetual physical change and constant internal reactions, man becomes aware of the voluntary and elevating progress of his intellect. Besides providing for his basic necessities, his intellect awakens in him an aim or goal in life. This sense appears in the simple perception of an absolute and powerful force; God, and then is directed toward self and sensuous and practical relations and responsibilities. Man coordinates his movements and actions in accordance with these responsibilities which are the same as goals specified by himself. At this stage conscience, which is a reflection of actions and goals in a progressive intellect, will take root within him. He will find himself with freedom of thought and will. At this stage man finds himself responsible in relations to others. Through this realization he can coordinate his thoughts and actions, display innovative actions, and use them to achieve his goals. As his understanding, knowledge, and experience enhance his goals become more pronounced. Therefore, while man is influenced by the environment, he is at the same time the master and shaper of fate. History is nothing but human consciousness, innovations, and development. To think of man as a passive and simple "instrument" is to disregard and undermine his potential and stature. Disregarding man's ability is tantamount to denying the obvious, documented history of man's initiatives, constructiveness, and transformations.

The origin of philosophy is a search for the reasons and relationships of beings and to discern goals and objectives. Proclivity for beauty and affection toward art stems from intrinsic and free human intellect which are the same in any situation and environment. The methods of reasoning and synthesis of arguments have been classified in various forms and have given rise to theoretical and applied philosophy. The reason that these arguments are not bound by a particular time and place is that similar theories and ideas have occurred at different times and places. Metaphysical theories as well as materialistic theories have existed at different times and in different countries, each having produced followers equipped with methods of achieving their

ideals. For example, the theory of evolution and change, and the foundation of Marxian general philosophy had been a subject of discussion since ancient times, and had several discussers such as Heracleitus and Anaximander in the 5th century B.C., the Muslim sage, Sadr ud-Din Shirazi, in the seventeenth century, and most of the western thinkers before the Industrial Revolution. In spite of industrial progress in western countries, metaphysics was more firmly rooted there while the followers of materialism were fewer in number. While in countries such as France and Italy, both latecomers to the Industrial Revolution, the followers of materialistic philosophy were numerous. The claim of Marxism that metaphysics is the philosophy of the ruling classes and technologically backward countries is not substantiated by historical facts. Some arch-followers of Marx's doctrines maintain that since metaphysics is founded on absolute truth, it requires social systems to be absolute and unchanging; therefore, the supporters of metaphysics are also supporters of the *status quo*. Nevertheless, many ancient and modern metaphysical philosophers such as Socrates and Plato were the driving force behind changes and were opposed to autocracy and absolute ownership, whereas more often the materialistic philosophers, e.g., Heracleitus in ancient times and Hobbes in the modern period, supported aristocracy, autocracy, and absolute ownership.

The source and stimulus for the advent of science—meaning physical and empirical science which result in the discovery of the secrets of nature and lead to new investigations—is due largely to a quest for the basic needs of livelihood. However, more often inner desires for discovering the unknown and understanding natural causes have also contributed or served as the main cause of the advent of science. If, like a Marxist, we consider economic conditions to be the only cause for the advent of the empirical and applied sciences we must overlook the spiritual causes and historical facts, and we must close our minds with an imaginary lid, reflection of a limited perception. If we consider change in the means of production and economic circumstances as the sole cause of the advent of scientific theories and technological inventions, then in an attempt to make them conform to changes in economic conditions and in the means of production we will be faced with an inadequate explanation which will not help us reach a definite and absolute truth. We observe that there have existed, and still exist, nations with similar economic and social conditions, but with different degrees of scientific progress. Why should we consider scientific theories and inventions as the source of industrial change when there is clear historical evidence to the contrary? Thousands of years ago the Chinese and the Greeks had theories and made discoveries about the mysteries of nature which proved to be accurate after many centuries, and some results were obtained from them. For example, the discovery of magnetism and printing by the Chinese; the use of water power by the Greeks; the theories of chemistry (alchemy), laws of optics, the reflection and refraction of light and many other mathematical, astronomical, medical, and anatomical observations by Muslim



scientists; all are undeniable contributions which occurred before the Industrial Revolution. What do Galileo's and Kepler's theories of the earth's movement around the sun or the law of gravity have to do with changes in the means of production? The reality is that the sensory elements, talents, life's basic necessities, defense against sickness, death and wars; all of these clearly are the sources of phenomena, and one cannot pass a correct and convincing judgment by looking only from a narrow perspective. Indeed, if scientific theories are merely outcomes of economic changes and social conditions, how could Marxian theories be absolute and permanent?

## CLASSES

In Marxist theory the means of production constitute the foundation of class structure. This implies that society is divided into two distinct classes—the rulers and the ruled. This is considered the basis of society, and other manifestations of life are its components. Once a group manages to acquire control of the means of production (which are the only factors, stimuli, and sources of power), that group becomes the privileged and absolute ruling class; other people are ruled and exploited. This is the only reason for the formation and perpetuation of governments. It is this principle in primitive and ultimate collectivist societies that ceases to operate.

Such a claim can be proven in societies in which social destinies and conditions are governed by a type of capitalism which is dependent upon the means of production. If, however, we express doubts concerning the exclusive impact of the means of production in shaping societies; destinies and structure, then it should be up to those who claim otherwise to provide convincing reasons to prove their claim. If we say that seeking superiority and obtaining power and authority over other people originate from human nature and instinct and that history clearly demonstrates that many nomadic tribes (which did not possess means of production) attacked and conquered cities (which possessed means of production, but lacked will power) and established powerful and long-lasting governments or that groups possessing beliefs and principles became dominant rulers, then one should either think of history as illusory or express doubts about the realism of Marxist theory. Is it not possible for a government to be the result of needs, to set up limits and regulations and to be the executor of laws? Is it also not possible that a government can come into being as a result of certain beliefs, racism, and a desire to protect a certain national identity? It cannot be denied that economic conditions have profoundly affected the establishment and transformations of governments, but historical and spiritual analysis reveals that they are not the only causes. Social problems are not like natural or mathematical problems to be subsumed under a single formula or "law." If at some period in time and in some corner of the world certain governments

emerged based on the means of production and proceeded to move along with changes in the means of production, can their experiences be taken as a general rule (like mathematical problems) and be projected back as far as the beginning of history and of societies or be applied to the end of history? The fact of the matter is that the reasons for the emergence of various classes and governments are as varied as the factors and reasons for historical and spiritual mysteries. One should never consider the impact of military power and individual power in shaping social conditions and in setting up governments to be less important than economic reasons. If a regime is founded according to economic factors alone, then today's arms and the military race for the destruction of other governments would be a futile act.

### THE EARLY [PRIMITIVE] COLLECTIVISM

Marxism expresses decisive opinions regarding early collectivist social order. One of the reasons for this "decisive" and "indubitable" theory—derived from history's past and ambiguous depths—is based on the study of the living conditions of savage and semi-savage tribes which still remain scattered around the world. These tribes share food and shelter. Studies of their way of living have not yet determined whether the members of the tribe are equal among themselves with respect to ownership and distribution. Assuming perfect deduction, how could that be a yardstick to measure life over the past thousands of years and, moreover, why have these tribes not been subject to the laws of change and transformation?

Another Marxist justification regarding the communal form of life in early societies is that since the means of production were restricted to natural tools, and food and shelter were also inadequate, anything which was obtained was necessarily shared by all members of the tribe. But an opposite conclusion can also be made from this line of reasoning; since the means of production such as rocks and wood were free and equally accessible to everyone (unlike food and shelter) and no one privately possessed them, given the differences in physical ability and skill, anyone could keep for himself and his family that which he acquired. Given this possibility, since food and shelter were divided equally among members of the tribe, that could not have been attributed to anything else but to the purity of hearts which had not been contaminated with greed and covetousness. It is said that the remaining savage tribes around the world, such as those in North America, divide food among themselves and attend to their sick and more often than not they dispense with their own food and shelter for the sake of the sick. Perhaps the reason for early collectivism was due to shared ownership and human kindness.

### SLAVERY SOCIETY

[According to Marxism] at this stage of history the means of production in



collectivist societies advanced to a point where production exceeded family and tribal needs. With an increase in production and the means to produce them within the limited capacity of the community, either progress and change in the means of production had to be brought to a halt or other forms of human potential had to be generated to proceed at the same rate as the progress in the means of production. Since the means of production do not remain stagnant, other forces must necessarily begin to function. At this stage slavery begins. Prior to slavery, prisoners of war were killed to avoid cost and the burden of holding them, but after slavery became established wars became a device, like other devices, to enslave the conquered. If a tribe was incapable of attacking other tribes, it took slaves from among its own members. This, it is maintained, was the first contradiction of history which began to form in the womb of early collectivist society, i.e., some people by acquiring control over the means of production found political and social power and became the masters. The class which was deprived of all means became the slaves.

The first question that comes to mind in regard to the above explanation is: what was the reason that some people found the opportunity and the privilege of bringing the means of production into their control whereas others could not? Moreover, if the only reason for taking slaves was to use their manpower in production, why then were other types of readily available workers, e.g., wage earners and servants, not utilized even though they were inexpensive to use and less cumbersome to maintain and, above all, posed less danger of entering into alliance against their masters? If we claim that the most important reason or the only reason for having obtained and monopolized the means of production had been the spiritual and physical superiority of a group and that slavery too arose out of the domineering and privilege-seeking disposition of certain groups, then there would not be any room left for doubts about the origins of slavery. For this reason, we can still observe that despite all changes in the means of production and after the passage of thousands of years since the early rise of slavery, the taking of captives and making them slaves has been perpetuated in various forms.<sup>3</sup>

### THE FEUDAL SOCIETY

According to Marxism the heavy burden of production fell on the shoulders of the slaves. As consumption and expenditures by both slaves and masters increased, the pressure brought upon the slaves also increased, and consequently cooperation and unity among slaves grew until the contradiction between masters and slaves reached a point where it weakened the class of owners and masters. The debilitated masters were no longer able to manage and maintain production and the means of production by using slaves. The masters were compelled to divide the land they possessed among slaves and to set them free

so that they could easily and without trouble reap the fruit of the labor of the peasant/slave leaving some for them. For this reason slavery evolved automatically toward feudalism and finally disappeared.

In Marxist interpretation, revolution, and rebellion by slaves—in the final stage of contradiction between them and the masters—did not occur. Therefore, one must either abandon the Marxist principle of revolutionary change or show the point at which a revolutionary change takes place, because such a justification is no more than saying that masters and owners of the means of production set the slaves free peacefully and divided up the land among themselves. Moreover, history does not demonstrate that in all economic and social transformation feudalism has followed slavery. There are many historical examples where following the conquest and the establishment of despotic regimes feudalism emerged even though slavery had not previously existed in that society. On the other hand, we see that in feudal societies slavery remained even after rebellions by slaves. In the history of nations slaves have rebelled because of oppression and feeling of contempt for their masters and in order to free themselves and to abolish slavery. This has nothing to do with changes in the means of production. The more we study past history the more we see no relation between the means of production and social changes. Except in special circumstances and in certain countries, social changes have occurred without a concomitant transformation of the means of production. The shortcomings of the Marxist explanation is that it neglects factors in human nature and other noneconomic conditions.

## TRANSITION TOWARD CAPITALISM

Marxism justifies transition toward capitalism from feudalism as follows: feudalism constantly augments its power by capturing land and taking control over the advanced means of production. As more capital, land, and the means of production and output become concentrated through ownership and possession, pressure increases on those peasants who are productive. The origin of concentration of capital and financial power, it is maintained, must not be attributed to the intellect or the wise decisions on the part of the feudal class; rather it comes from the deprived producers and wage earners, from ownership of the means of production. By depriving producers from free access to the means of production the gap between them and the owners widens. In this manner the conditions for a change from feudalism to capitalism are formed. In the final phase of this transformation the owners, resorting to encroachment and confiscation, would take away the means of production from the producing class. The foundation and essence of capitalism lies here.

Thievery, confiscation, and plundering by capitalists are not limited to their home country. Capitalists also lay hands on the land and resources of



foreign countries through invasions, plunderings, and colonial wars. This, then, has been a brief look at the section of Marx's *Capital* dealing with the origins of capitalism.

Engels, however, does not accept the above explanation of the rise of capitalism. He maintains that any other interpretation of capitalism beyond that which is strictly based on internal economic factors—such as encroachments, plunderings, and conquests—is incorrect and diverges from the facts.

If we choose not to accept this theory as if it were a revelation, and instead accept it on the bases of logic and historical facts, there are ambiguous issues and cases within this theory which ought to be pointed out. This theory is based on contradictions, transition, and stages. The dialect of contradictions between two classes must become a reality. Logic and historical facts do not demonstrate that there has been a contradiction between feudalism and the bourgeoisie; it is possible for both to be compatible without obstructing one another. There have been many big landlords—and still are—who have been major capitalists and who have spent their capital to obtain land ownership. We see no necessary reason for them to have obtained their wealth from land ownership. Is it not possible to achieve capitalism through trade or small industry as a way of setting oneself and others free from feudalists' encroachments?

In view of the facts of economic history, conflict cannot in general be found between these two classes to enable one to draw a firm and absolute conclusion that historical dialectics have continually and everywhere brought forth such a "negation" and "affirmation." If these changes and transformations are the effects of historical materialism and evolution in the means of production, there would be no place left for such behavior as claustrinity, usurpation, plundering, and thievery. If according to this theory human behavior and conduct, both good and evil, do not have reality but are merely the effects of economic phenomena, then plundering and thievery would not be inadmissible and wrong in specific historical conditions. In transformation from feudalism to capitalism, as propounded by Marxist theory, we see no example except in the economic history of England. In the beginning of the emergence of industrialization in England due to expansion of textile factories, the market for British export of wool expanded and most farmers began herding sheep to raise wool, and as pastures expanded farm lands diminished. It was under these conditions that feudalism gradually gave way to capitalism.

Similar industrial transformation and movement toward capitalism took place in other countries following the British example, and nowhere was it accompanied with class conflict and revolution. Among the eastern countries we observe the history of Japan's industrial changes. Once the Japanese had realized the need for struggle against Western colonialists, they divided the land and properties with the help and guidance of large landlords and government assistance and then began to promote and develop industries.

## THE MEASURE OF VALUE (PRICE)

The classical economists, those who lived before Marx as well as his contemporaries, had studied the concept of value. But Marx paid special attention to this concept and had a special interest in and strong opinions regarding the determination of the measure of value. In his view once the value is determined and misconception regarding it removed, then the right of the laborers and the boundaries of the capitalists' encroachments and the conflict between them will be explained and the guidelines of the workers' revolution will be drawn.

Following Ricardo, Marx considers the basis for commodity exchange to be the amount of stored-up labor. Ricardo took into consideration other factors such as competition and supply and demand in the determination of the value of the commodity, but Marx rejected these. He stated that only in special circumstances did other factors enter into the analysis of value. Marx asserts that the value of a commodity upon entering the market for exchange is exposed to variations according to different factors and social environment, and its profitability and "use value" are no longer the only variable factors. At this point the buyer and the seller, each possessing a commodity to trade, face each other and various factors and motives cause the quantity and the price of each commodity to move up or down like the pans of a scale. If the market is [perfectly] competitive in supply and demand and no monopolistic restrictions exist, price and quantity variations will be sudden and infinite. If such elements did not exist and the exchangeable commodities existed in sufficient consumable quantities, the value would revert back to the basic regulator which is the quantity of stored-up labor.

Marx did not discuss the value of land and other raw materials, and he did not consider them as having exchange value. Prior to Marx, the collectivists attached value to land and raw materials but they used to say that since these were nature's endowments, they did not acquire exchange value until human labor was added to them. But from Marx's viewpoint land has no value whatsoever and is an environment of monopoly and encroachment; lands which are valuable fall under the domain of the monopolists and temporarily become valuable properties.

Ambiguous points remain in Marx's theory concerning the concept and usage of "use value" and "exchange value," because the former is determined in accordance with needs and public needs are not uniform in different environments as an individual's needs are not uniform in different circumstances. Many natural things possess use value and *need value* and even a *necessity value*, yet they do not have any exchange value such as air and light. There are other things which have no use value but possess ultimate exchange value such as a diamond.

To bridge the differences between use value and exchange value some classical scholars have suggested the concept of scarcity and have based value on



scarcity and profit. This new addition, however, does not eliminate the difficulty, for it is obvious that not every scarce and useful object possesses a use value. In any case, the recognition of use value and its relation to exchange value has always puzzled economic scholars; it is a tangled skein of yarn whose lead cannot be found. Nevertheless, this does not affect the practical functioning and foundation of a just economy. With regard to exchange value, if the amount of labor performed is to be the only measure of value we must also take into account the amount of time spent as the quantity of labor is a function of the quantity of time used. In addition to the element of time, should not we also take into account other factors such as intelligence, intrinsic talents, and acquired skills as determinants of value? And if we do not take these important factors into consideration then the work of an intelligent artist or a skilled technician must be valued the same as that of an unskilled, dull, and non-specialist laborer. Moreover, doesn't the material on which labor is performed contribute to its value? If not, then comparing the value of a task performed on a piece of wood, metal or precious stone with the same task performed on a material which is plentiful and worthless must be the same. Moreover, there is the matter of quantity of capital consumed in the work process: the tools, the means of production, and the machinery. How would one correctly measure the contributions of these devices to the process of determining the labor value? These are some of the fundamental difficulties associated with this theory. Following this theory, if we ignore other factors such as supply and demand, surplus, shortage, and life's accretions, and think of them as non-essentials and unreal and consider only the value of labor performed as an essential factor, we will run into the above mentioned problems. From this point of view the common denominator between remnant of rug and an automobile in the exchange process is not the material or the physical appearances of the two commodities, for they have obviously nothing in common. The common denominator must be something else. It is argued here that it is the amount of labor that has gone into the manufacturing of these two commodities whose labor quantity remains unchanged despite transformations, which is the average of all fluctuations.

To demonstrate: is the amount of labor stored in a commodity ever taken into consideration in the process of exchange? Should a bunch of unripe apples and delicious pears or a good quality bale of cotton or a bushel of barley of inferior quality—each containing equal amount of human labor—have equal values in exchange? Or, if more work was done to produce the poor quality commodity, should it then be worth more than the good quality commodity? On the contrary, would it be possible to ignore the effect of the amount of income, product quality, and supply and demand in every economic situation? If we assume that the measure of value is determined by the amount of stored labor in a commodity, it would amount to nothing more than an esoteric theory, not substantiated by facts. Assuming that value is derived exclusively



from labor, then what sort of a yardstick should one use to measure the various kinds of labor which differ with respect to beauty, elegance, and technique? Would divisions of labor into simple and complex and the recognition of the former as the foundation of value while measuring the latter, i.e., technical and delicate labor, offer a solution to the difficulties, and would it provide an answer to the unknowns?

How could talent, art, and technical skill which are manifestations of the human inner self and mental ability be measured by the same scale as simple practical labor which is only the product of physical organs? But despite all these ambiguities and difficulties, Marx should be excused because his point is focused on the very same industrial and oppressive capitalist—dreadful capitalist—environment in which labor and laborers are not respected. To lift this curtain of darkness and show the detestable and oppressive face of the capitalists, Marx studied and emphasized labor value in his voluminous *Das Kapital*. But his view is not realistic and does not allow for the development of a stable economic order.

## CAPITALISM AND EVOLUTION

In Marxism the line of demarcation and the source of conflict between capitalism and labor economy (socialism-communism) constitutes labor value. If workers' legitimate rights and wages are commensurate with the value of their labor, capitalism, it is maintained, would cease to exist because the origin of capitalism is illegitimate or "surplus" profit. Therefore, capitalism is nothing more than usurpation and thievery. In this theory the capital spent to establish a factory is called the fixed capital and the capital used to pay the workers' wages is called the variable capital. The sum of these two is the total capital which is utilized to set up a factory and begin production (organic composition of capital). Based on this principle, the value of a commodity is equal to the sum of material used up, fuel spent, and depreciations associated with operation of the factory. Hence, the value of a commodity is equal to the new labor added to the labor already performed. What the capitalist reaps is the "surplus" profit that is added to this value in the exchange market because the capitalist's goal is only to make a profit (and not to increase the level of output or the workers' and public's welfare). A practical solution for the capitalist to obtain higher profits is to exploit the workers by increasing working hours and reducing wages. Since these are subject to certain limitations and the profit the capitalists seeks is unlimited, the capitalist must increase and expand production. As a result of this expansion and improvement (increase in the amount of fixed capital) output rises and the surplus value necessarily diminishes, in light of competition in the market. To continue to compete in the market, the capitalist must further expand production and reduce expenditures and wages

so that a commodity can be offered still cheaper to the consumers. In this competitive struggle the weak or the negligent competitors are eliminated one by one and the means of production is further concentrated and monopolized in fewer hands.

According to what was said above, competition and monopoly are exclusive methods capitalism uses to seek profit. The instinct for making more profit and competing with others becomes the source of giant monopolies and corporations which leads to the eventual elimination of the smaller and weaker competitors and paves the way for more competition among giant corporations. With the expansion of giant corporations and monopolies the conflict between workers and capitalists also increases. This conflict arises from seeking more profit or surplus value and reduction of wages. In the capitalist system, if profits decline or cease altogether, production will be halted and the capitalist will gradually perish with all that he possesses. An increase in working hours and a reduction in wages and, consequently, increased profits are the only way that the existence and sustenance of capitalism can continue. In the final state of conflict between workers and capitalists, the former will unite and strike in order to obtain justice and higher wages which will weaken the capitalists' base until a revolution destroys the whole system. Once the base has been destroyed the superstructure, i.e., the laws, rules, and regulations, also will be destroyed. To secure workers' rights the laws would have to be changed and the government would have to represent the workers. In summary, profit seeking, competition, technical progress, unemployment of the masses and the workers, and a constant decline in wages bring about a revolution leading to the rise of the workers' government and public ownership of the means of production.

The salient characteristics of a proletarian government are: 1) elimination of all classes; 2) dictatorship of the proletariat to carry out its historical mission; 3) nationalization of the means of production; and 4) distribution in accordance with the maxim "From everyone according to ability and to everyone according to work."

By paying attention to what was said above, one sees that the foundation of this projected system rests on the labor theory of value. If this principle is solid and unalterable, its consequences could be accepted to some extent, e.g., the value derived exclusively from labor must be indisputable. Workers must recognize labor value as their legal and inalienable right and the profits must constantly rise and wages decline in accordance to this labor theory of value until they revolt because of unbearable pressure. As soon as all these conditions are satisfied, the revolution and government of the proletariat will emerge and remain intact.

In the labor theory of value no allowance is given to the measure of value derived from works of artistic, scientific, or technical nature even though there are virtually unlimited varieties of these types of work. This is to say that the value of scientific, basic research, writing, and managerial types of work have



not been accounted for even though in a given industrial activity one cannot attach a lesser "value" to management of a factory, worker management, production and distribution activities than, say, to a simple task of fastening bolts to nuts. Management, production, and distribution decisions are so precise that an error of judgment may halt production. If the owner of the means of production draws benefit from the activity to the extent worthy of a knowledgeable and capable manager or comparable to that performed by the "workers" government, can he still be referred to as a "usurper" and a "thief?" If equal quantity of work is performed on two distinct materials, such as copper and gold, should they both receive the same exchange value, lest the labor theory of value might be altered? But if they *are* different in value who should then receive the surplus? If one were to allow for the value of the labor previously used in mining metals, would that solve the problem?

If we consider the source of conflict between workers and capitalists to stem from that value which rightfully belongs to the workers, then the workers must first be made aware of their rights, because for as long as the truth is not understood by them, it will not influence them. If this perceived right is the source of conflict, it must first be made clear to the rightful owners in spite of the complexities and problems associated with it before it leads to unrest and agitation (as is suggested by Marx's main theory). It is only after the professional worker who has been excluded from participation in government and politics has understood his rights that he can enter the struggle to secure those rights. Besides, this theory of conflict is restricted to industrial activities. Furthermore, to which class do the owners of enormous incomes like owners of buildings, landowners, merchants, doctors or executives of companies belong? Will they too join the workers? Will those who depend upon their talent, intelligence, ability, and business for livelihood be eliminated after the collectivist revolution?

Even if we ignore these points and consider value as being that of stored labor and upon the premise that workers have received their legitimate rights, doesn't progress in industrial capabilities and an increase in the number of workers necessarily reduce the amount of available work? Isn't it at this time that deprived workers whose true wages are not paid begin to rebel? Therefore, class differences and conflicts cannot be regarded as a function of the labor theory of value. Whether we accept this theory or not and whether or not workers obtain their legitimate rights, the difference and conflict between the two classes will continue to exist, as in the case of buyers and sellers or landlords and tenants. When each side seeks his own interest no attention will be paid to the real value of the commodity or the building and the amount of stored labor, particularly when the commodity in question is an artistic work.

The fact is that conflicts and rebellions are merely the outcomes of monopoly, stress, and unbearable deprivation to which the producing class is subjected. The capitalist will increase the working hours as much as he possibly



can to reap more profit and will lay off workers in large numbers as technological progress takes place. The hungry and unemployed masses and those in danger of losing their jobs will unite. Since they do not depend upon the capitalist laws and government for protection, they will resort to their own solidarity and strength until they have assumed power. This obvious situation has no bearing on the labor theory of value or the surplus value. For this reason, in those industrial countries where certain laws governing labor activities have been enacted and certain rights and privileges have been given to workers, such remedies have kept the workers satisfied and stupefied and no revolution has yet taken place. With industrial progress, worker's conditions have apparently improved.

### TRANSCENDING DOMESTIC BOUNDARIES AND COLONIZATION OF OTHER NATIONS

According to this view explained in the previous section, since competition, concentration, and the rise of large corporations lead to more profit by the capitalists (and not to satisfying needs or promoting public welfare), they continually search for foreign markets to sell their excess products to make more profit. To gain access to resources and raw materials of other countries, the capitalists bring them and their inhabitants under their own control and increasingly subjugate the native population of such colonized countries by means of surrogate governments.

From this interpretation, it would follow that if a country did not have big capitalists and corporations and excess production, irrespective of how powerful it may be, it would not exceed the limits of its authority and would not transgress upon other countries. Or, if such a country annexes areas beyond its own national boundaries and subdues other nations, then that should not be considered as "colonization." But, in fact, thousands of years prior to the industrial transformation and increase in production, colonization and exploitation of the weak and subdued nations had been customary. This prevailing human tradition originates not in theories of economics and love of money but in instinct of seeking privileges of a type of human who lacks virtue, spirit of mercy, and charity. Those who possess such unregulated natures—be it individuals or governments—will always think of subduing, subjugating, and gaining possession of others and their properties whether inside or outside of one's borders. This inhuman conduct uses a suitable weapon and shows appropriate teeth and claws according to the condition of the environment. In ancient times weapons and military power were deployed to crush and kill, burn, destroy, and plunder. Today aggressive capitalist governments relying on military power to help the large corporations to thrust their teeth and claws into the bodies of weak nations while hiding their colonialist faces behind the guise

of "development and progress." The more their prey moves and struggles to free itself the deeper the claws and teeth of these devouring animals penetrate into the victim's body until the last drop of their life-giving blood has been sucked away and their corpses left behind.

The only function and duty of these governments are to safeguard the large corporate interests. Human rights and support of the masses are extended only to the point of ensuring the stability of the government. They resemble the owner of a gambling house whose cut increases as the gamblers increase in number and the game gets more intense. They must maintain an equipped army and allow for a large military budget. They must take away the dignity, unity, and progress achieved by the colonized countries by all possible means through surrogate regimes.

The workers and toilers of the colonized countries are kept seemingly well off. This is done not out of respect for their identity but because the revenues are so enormous that the colonialists must want to be at ease and reassured. Colonization for the colonialists is the essence of life and survival, because their continued existence, like that of parasites, depends upon colonies. The independence of each former colony makes the colonialist realize that his life-giving arteries are being cut and that he faces death. If a war should break out, it would totally disrupt the position attained by colonialists. Degeneration, ethical decadence, and prostitution among the ruled are some of the factors exploited by colonialist and capitalist governments.

## THE DICTATORSHIP OF THE PROLETARIAT

A workers' revolution, according to the theory of the dictatorship of the proletariat, is not a shallow or single faceted revolution and must become deeply entrenched, extensive, and permanent. Total control over making of laws, rules, and regulations must be part of workers' rights. Such a government must not merely remove capitalism from society but it must also eradicate its roots from the souls of capitalists, lest it is rejuvenated in some other place. For this reason, prior to acquisition of the means of production and capital by workers, the State must exercise vigilant control over the populace and their thoughts. Such control and vigilance would not be possible without the establishment of a police to penetrate families and even the government's own bureaucracy. An omnipotent and vigilant dictatorship is a requisite to such a revolution. But according to this theory the dictatorship of the proletariat is also transitory. It is a corridor and a twilight zone that a society would have to pass through from socialism to reach communism. Meanwhile the means of production and capital would have fallen into the hands of the government. The virtues and vestiges of a class society would have all but disappeared. Once this government has fulfilled its historical mission it too will disappear.



On the road from dictatorship of the proletariat to a just communist society there seem to be many difficulties and obstacles to halt one's journey or even retard it. Let us not forget that such a government is established on the basis of the labor theory of value or, in other words, the government is bound by its duty to return the property confiscated initially by the capitalists to their rightful owners, the workers, even though in such an unprecedented dictatorship the workers themselves have no right to determine the ownership and the distribution of property. The right to confiscate and distribute belongs to their representative government. The absolute owner is the government itself. Such a government which has supposedly been formed from the workers and wage earners would necessarily be a privileged class, although the hopes and expectations of the deprived were precisely to eliminate the privileged class! In this revolution human sentiments and ethics are not factors. It is a revolution brought about and caused by progress in the means of production. Would such a revolution be able to uproot the desire of ownership or of seeking more wealth or property from the minds of the masses? Or is it because the revolutionaries who have taken over the government possess peculiar inner qualities that destroy their desire for more wealth and privilege? Assuming that such a government is capable of distributing commodities on the basis of the amount of labor performed, is able to determine value (given the extensive difficulties associated with this determination) some of which were discussed above, and carry out the maxim, "From everyone according to ability and to everyone according to work," would it not still be possible for privilege and class structure to reappear in a different form?

### ELIMINATION OF CLASSES AND THE RISE OF JUSTICE

According to this theory, as the period of dictatorship of the proletariat follows its course, the entire sources of wealth and means of production become owned by the State, and private ownership—the cause of class conflict—is abolished. Once the government has accomplished its historical mission and production is brought to a level to meet actual needs and equitable distribution has been accomplished, there is no longer a need for this type of government and it will automatically be eliminated. The management of production and distribution will fall into the hands of society and the people. The socialist motto, "From each according to ability and to each according to work" will now be replaced by the ultimate communist motto, "... to everyone according to need." Consequently all resources become like air and light and monopoly and deprivation cease to exist. This is the final point in the journey of humans and is the promised paradise where changes in the means of production and the forces of history come to rest after having passed through conflicts and transitions of socialism. And this is the fountain of life and the source of justice



which man reaches after having journeyed through the deep darkness. Oh, what a delightful hope and pleasant dream! What creative powers lie in changes and progress in the means of production, class conflict, and the establishment of proletarian governments which, in addition to purifying classes and the system of ownership, sever the roots of greed, covetousness, and self-interest from the souls of mankind and generate a new kind of human nature which is unburdened by differences, oppression, and self-interest, and where jealousy towards nature's creatures is absent and nature's fruits are within the reach of everyone! Indeed, if class struggle and industrial transformation cause a ray of hope about this promising future to shine on man it may provide hope. But what can be understood from this theory is that the government which itself is a by-product of continual class conflict will ultimately be destroyed because the main reason for its creation—class conflict—has already ceased. This justification itself is against the Marxist principle that class conflict is the source of all transformation, because if the ultimate destruction of the government is to be achieved by a revolution it must be carried out by conflicting classes. But according to this theory class conflict no longer exists. A gradual and automatic elimination of class conflict, too, does not agree with this principle of economic and class conflict, namely, that it is a permanent driving force of history whose destruction culminates in history's stagnation. Above all, a dictatorship of the proletariat whose government is righteous and controls every aspect of society in accordance with its own historical ideology cannot bring about cessation of class conflict. The proletarian government possesses unprecedented privileges, because in addition to the acquisition of the means of production and resources it as a rule comes to possess military advantages and the right to the tradition of revolution and to leadership. Such privileges far exceed ownership privileges, and history has demonstrated that elimination of financial privileges and a gradual and automatic elimination of government that has the responsibility for nationalization of resources, equitable distribution of wealth, etc., is doubtful, if not impossible. Unless, of course, during economic transformation attitudinal and spiritual changes also take place and the instinct of collecting wealth and seeking privilege are uprooted or brought under control and subordinated to justice. But from the Marxist viewpoint, *only* "economic factors" cause transformations and naturally spiritual factors are not important. Nonetheless, public welfare and trust have not yet been achieved on the basis of economic factors and class conflict, and if a change from one condition to another can bring about happiness, it is only relative and limited to a particular class. Regarding the future, no signs of public well-being are visible.

#### FREEDOM OF UNRESTRAINED CAPITALISM AND ITS PITFALLS

Prior to and at the beginning of the industrial transformation and follow-

ing the advent of the classical schools of thought the discussion of most economic scholars centered around freedom of private ownership, production, distribution of goods, and profit making. As was pointed out above, the origin of this "freedom" was thought to be innate and natural and most scholars conceded that it would change in accordance with economic changes and social conditions. The scholars did maintain that the principle of freedom must be preserved; laws had to be devised on this very same principle to ensure individual and social happiness. Any law which restricted such freedom was considered to be in violation of individual rights and contrary to natural order and hence a crime. Furthermore, they thought that since man was created free and nature's resources were put freely at his disposal any person ought to be able to use them in accordance with his talent and ability. If a policy required that certain restrictions be applied, it would only be in exceptional circumstances and temporary.

Afterwards it was proven that this general theory, when applied to the context of social relations, was inadequate and impractical. Absolute "natural freedom" became necessarily restricted in social contracts because innate and natural freedom in a social environment would lead to chaos and deprive someone else of freedom. To justify individual freedom or to maintain human dignity and generosity, the classical economic scholars found it necessary to establish laws to restrict "absolute freedom" and referred to them as "natural." It is obvious that the goal of economic laws based on capitalistic principles is to enhance wealth, production, and profit. The "laws" of supply and demand, workers insurance, and ways to increase output are all based on this goal. From this aspect capitalistic principles, unlike those of socialism, could not be accepted as "scientific principles." The origins of capitalist laws and regulations are the same economic ways and methods prevalent in different societies founded on private ownership and for the purpose of increasing wealth and common profit. The meaning of "freedom" in this context is the freedom of an individual to acquire personal wealth. Since the principles of capitalism, except in a few cases (such as the laws of supply and demand, as is thought by some people) lack general and scientific laws which are universally applicable, any discussion, study or reasoning to prove their validity from legal, political, and ethical aspects is unwarranted. By studying and scrutinizing the methods prevalent in capitalist societies it appears that because freedom and regulations in capitalistic systems are superficial and irresponsible, they become a means of depriving the majority of freedom. Although capitalistic laws and regulations clear the way for opportunities and talents and provide everyone with access to production and profit, they necessarily create the opportunity for a select group of classes to obtain power and exploit public capital and the means of production. Those who possess fewer human talents and less ability to cope with the prevailing difficulties are forcibly and necessarily pushed aside and their freedom reduced to near zero. This is because in a capitalist environment and

in a climate of freedom without responsibility the path to rule and to obtain unlimited power is open to those who enjoy many privileges without social responsibility toward those who lack talent and opportunity. No matter how precise and convincing the principles, theories, and regulations of capitalism are, they are still within the confines of the spirit of capitalism which bind and limit human intellectual and physical abilities to the service of capitalists. Capital increases, while few efforts are made for utilizing production and wealth to serve humanity. The establishment of organizations under the pleas of "charity," etc., or at times restricting the monopoly power of corporations and increasing wages are measures designed to exploit human power and increase wealth. These charitable contributions and the aid rendered by those who worship wealth and capital resemble milk that the milker rubs on the cow's udder to induce the animal to give more milk, or to the handful of water one first pours into the handpump in order to prime water from the well.

If some capitalist economists like John Maynard Keynes have rejected or prohibited monopoly, hoarding or usury, it is not for the sake of preventing encroachment on the rights of consumers or the needy, but because such practices, in Keynes' opinion, lead to a decline in the level of production and spending by the consumers which ultimately lead to a reduction in the capitalists' profits. And if a theory is advanced regarding wage increases for workers, it is really for the purpose of increasing labor productivity and, consequently, purchasing power.

The proponents of the capitalist system and its related schools of thought and legal branches justify their ideas and goals and try to free themselves of accusations by saying that economic freedom under capitalism enables everyone to improve his life. In this, capitalists attempt to enhance wealth as well as public holdings, promising poverty will be eliminated and good moral character and spiritual growth will be attained. Some go even further than this and say that ethics and individual virtues develop under the umbrella of economic freedom (even though an absolute and unrestrained capitalist system cannot have any other goal except exploitation and colonization of others). The truth of the matter is, in a capitalist system laws and rules must be established and carried out in the interest and maintenance of capitalism. The necessary pre-conditions are competition, struggle for survival in the market place, the abandonment of spiritual virtues, and the destruction of financial opportunities of the weak. Many producers do not draw benefit from the results of their activities in such an environment and the results of their activities ultimately benefit the capitalists. In such an environment ethics, scientific progress, and virtues are subordinated to profit and in many cases such an attitude is a weapon in the hands of powerful people. In this system humans are only involuntary tools in the hands of capitalists. The general laws of supply and demand prevail and more production for the benefit of capitalists is encouraged. The material and spiritual strength of workers and peasants are exploited as



much as possible, and once they have become useless and unproductive they are discarded like rotten goods and old furniture.

In such a system, it can be observed, ethics, human generosity, a sense of cooperation, and mutual assistance are closer to myth than reality. Always trying to increase or obtain and aggrandize wealth destroys these human qualities and blinds and deafens human senses. A human being—his values and virtues—is assessed and exploited for the sake of providing capital for the various classes. The value of everything is measured in terms of quantity and increases in production. Outside of the centers of capitalism one can clearly observe millions of exploited and "chained" peoples of various countries under colonial governments. History is full of millions of dead, refugees, and ruined cities to satisfy capitalists' greed. The crimes of those greedy capitalists are among history's most notorious and painful. Since social security and ethical responsibility are lacking in capitalistic societies, the benefit and comfort of a small group and relative deprivation of the majority who lack purchasing power are a certainty. However carefully laws are passed in a capitalist environment, they cannot limit the extent of individual ownership or enhance social security, and there are no limits imposed by religion or conscience.

The proponents of a free (and irresponsible) system consider freedom responsible for increase in production and wealth, although this "freedom" is not like that which allows talents and social right to flourish or a system where everyone would permanently benefit from one's talent. Why? Because the production environment and the use of natural resources are limited and, therefore, opportunities and means of advancement are available only to a small group which, in turn, deprives others of their freedom and prevents their talents from flourishing and developing. A rise in production can lead to public welfare only if distribution is equitable and purchasing power is available equally to everyone. But capitalism is not as concerned with welfare as it is with making a profit.

Although in this system the economy is based on individual freedom and self-interest, and individual freedom and self-interest are respected, the freedom ultimately is so restrictive that it approaches zero, nearly reaching the point where capitalists and industrialists can do whatever they please with the workers and exploit human labor in any way they choose. They raise or lower wages and working hours as they wish, and hire or fire any individual or group they choose and they feel no responsibility toward the workers' families. In this respect, capitalism is no different than Marxism which totally subordinates the individual and his interest to that of society. Just as Marxism regards the desires or the rights of the working class to be legitimate and paves the way for the ownership and possession of capital and the means of production by a government which is representative of the working class, capitalism too opens the way to a specific class which cannot but be a profit-worshipping, capital-worshipping class. Although capitalism and Marxism have seemingly confronted each other,

ultimately as far as each provides for the interest and freedom of a specific group or a class at the expense of other individuals, they are the same.

A righteous and just society is one in which public responsibility and security within the overall structure, design, and regulations of the society are observed in the interests of everyone and one in which individual interests are in harmony with those of society. This goal cannot be achieved unless a sense of responsibility is awakened in everyone and everyone is willing to forgo personal interest for the sake of public well-being. It must be noted that society and the elements constituting it neither belong exclusively to the capitalists and the owners of the means of production nor to the workers and wage earners. Worker's rights too are not restricted to wages alone. Freedom of work, expression of talents, and controlling one's own destiny are no less important than having the right to determine wages or making a living. Communism claims that it is taking steps along this path!

### FREEDOM AND WAY TO PROVIDE IT

During the later part of the Middle Ages when social theories began to emerge concomitantly with industry, the word "freedom" gained the attention of social scientists and law-makers. Opinions revolved around the meaning of the word freedom and its limits but as yet no comprehensive and complete definition has been provided. Definitions are relative and in accordance with the designs and conditions of the society. Many social scientists of recent centuries and law-makers think that to give or take freedom is within a government's jurisdiction which they can bestow or take away from anyone (or any nation) as they see fit. It is certain that since a human being is distinguished by wisdom and a free will he has been created to be free in thought and action in every respect. Initially, this freedom and free will are exercised instinctively, for self-interest and survival. After a man has taken a wife and formed a family, his freedom becomes restricted in accordance with new obligations which he has elected to perform. As society advances and specialization and divisions appear natural and intrinsic, freedom will be curtailed once again.

The believers in a free (*laissez faire*) economy have paid attention only to a dubious or economic freedom and to man as a capital producer. Although human nature is composed of various faculties and desires, acquiring wealth is only one way of satisfying some of these desires. The innate drive for discovering the unknown and searching for the causes of events, seeking superiority, asking for respect and honor, personal independence, expression of power, personal identity, respect and a sense of responsibility and duty comprise a much larger part of man's being. Each one of these carnal desires is permissible only to the point where their expression does not encroach upon the desires of other people. Natural and man-made laws and rules in their true

meaning should rest upon these innate principles and conform to individual desires and social stature. Such laws and regulations are impossible unless they originate from an all-embracing source which dictates all duties and responsibilities, placing their implications on belief and conscience. On the other hand, an individual's efforts are automatically directed toward personal interests and pleasures and his center of thought and action is himself. This self-conceit, egotism, and self-centeredness of the individual conflicts with the rights and interests of others. To establish a healthy and lively society there is no other alternative but to discipline and build harmonious individuals who are attached to the community at large. Individuals, who while enjoying personal freedom, are willing to direct their attention to society away from their own self-centeredness, with a loftiness of purpose, social consciousness, and philanthropy develop a firm belief in the principles and laws which have ensured their individual well-being within the context of society's interest. In this case, when personal interests clash with those of society, one forgoes one's own interests in order that the interests of the people remain secure and the road towards growth and happiness is available to everyone.

The government in such a society must represent the entire nation and carry out laws benefiting and serving everyone. Such a government cannot be despotic or representative of a particular class while opposing other groups and classes. Class differences are a result of a particular way of thinking or a particular form of government. What has not been taken into consideration in Marxism and capitalism is precisely this all-encompassing form which a government must have in order to represent everyone in society and show respect to individual dignity and strive to enhance public aspirations and well-being. Both these systems would want the government to exist for the benefit of a particular class, treating people as if they were instruments of production and wealth. Under such considerations individual independence is necessarily restricted; intellect, understanding, and reasoning are utilized to collect more wealth; and the value of work, action, human generosity, and virtues lose their true meaning. The government is constantly engaged in taking sides with one class while opposing another. Under the pretense of "freedom of ownership" or "diffusion of wealth" it gives a free hand to one class while suppressing others.

### THE HUMAN [MORAL] VALUE OF ACTION

Growth and movement are two of the most obvious manifestations of accomplishment in the life of creatures. As life becomes more perfect its movement and growth take on varied and mysterious forms. Since a human is a complete and perfect example of life, he is capable of thought and voluntary physical movements in addition to instinctive action and involuntary growth;



he is not kept in a single or suspended state. From the moment he comes in contact with the outside world through his external senses, the initial perceptions awaken his mind and intellect, and this act does not cease till the end of his life. Actions prompted by mental activities are manifold and boundless. If human activities were not bound and constrained by outside elements and conditions, they would not be similar in any situation and environment because they originate in human intellect, wandering imagination, talent, feelings, spirituality, physical reflections, and environment. It is the industrialized environments which transform humans into rigid parts of a machine. Man, after having grasped a simple and vague notion of his own being by contact with the world outside and the reflections which stimulate his mind and conscience, acquires a secondary (dual) identity. Afterwards his efforts are directed toward consolidating, strengthening, and expressing this identity, realized in action by which man attempts constantly to convey his own intellect, understanding, talent, and discoveries to the minds of others or reflect them in the resources of nature. On the ultimate aim for creation of man, The Qur'an has stated the following truth:

Blessed is He in Whose hand is the Sovereignty, and, He is able to do all things. Who hath created life and death that He may try you which of you is best in conduct;

(LXVII: 1-2)

Lo! We have placed all that is on the earth as an ornament thereof that we may try them: which of them is best in conduct;

(XVIII: 7)

Lo! as for those who believe and do good works — Lo! We suffer not the reward of one whose work is goodly to be lost;

(XVIII: 30)

Those whose effort goeth astray in the life of the world, and yet they reckon that they do good work;<sup>4</sup>

(XVIII: 104)

As for him who giveth and is dutiful (toward Allah), and believeth in goodness; Surely We will ease his way unto the state of ease.<sup>5</sup>

(XCII: 5-7)

Another source of human effort, action, innovation, and initiative is man's unruly habit of seeking power which makes him want to place himself above others and conquer nature's powerful forces and attempt to discover the effects and characteristics of the elements and the universe and to shape them in order to express his imagination and to utilize nature for his own benefit. The verse, "And He taught Adam all the names," (II:31) explains man's ability to portray and influence nature. It is the secret of man's superiority over other creatures.

In accordance with natural elements and environmental conditions a

human being strives toward innovation, initiative and good will. Initially, the financial rewards of work are subordinate to the above purpose. Such acts and outcomes, before they can be evaluated in material terms, contain human values. The writings of great scientists, the ideas of intellectuals, and the discoveries and the works of artists cannot be evaluated by any monetary scale. Regardless of how widely these books and works are made available to the public, it would not diminish their human values. The value of anything which would enhance its human value is above that of everything else. How could the discoveries and ideas of great personalities be measured in material terms, knowing that they gave up all material pleasures and rewards, and more often their lives, for what they believed in or discovered?

The human value of innovation and initiative is not inconsistent with material and financial benefit and its origins, but the initial cause and motivation and responsible for satisfying the needs and ensuing financial return. The first source of movement of thought and talent are the natural instincts which lead to procurement of food and other necessities, attracting profit and rejecting losses. In this aspect man is like other animals. During the course of his evolution from simple primitive existence to a civilized society his needs multiplied, pushing his mind in the direction of innovations and inventions. Early man nourished himself on wild plants and vegetables and the meat of undomesticated animals. Then to get more food and clothing man began to tame animals. After he had settled in a particular location he felt a need for land in order to grow food and build shelters. Accordingly his mind functioned to create and manufacture tools for tilling and harvesting and shelter and defense. As his needs became more varied his innovative and mental talents and gifts were further enhanced.

Although need and profit are the initial stimuli for awakening the mind, they are not permanent. These are most important until the mind begins to function on its own; once that has happened and mental faculties begin to flourish, man no longer needs an external stimulus. From then on the urge to express identity and seek power and triumph are the most potent stimuli.<sup>6</sup> The environment of social and economic relations provide the initial conditions for the development of thought and flowering of talents.

The level of achievements and successes of various civilizations are nothing but the outcome of the achievement of thought, the expression of talents, and the opening up of inner resources. That which continues to remain for all eternity, following the disappearance of superficial social and material aspects of civilizations, are these mental and artistic attributes. Because these cannot be measured in material terms or in terms of the amount of time, work and power which have been utilized in their production, (i.e., they transcend the boundaries of needs and profit) these are not restricted to people who have lived in a particular place at a particular time. Their values cannot be termed anything but pure human values.



### THE TRUE VALUES: ESSENTIAL AND ELEVATING [KAMALI]

Anything that is fit for human use and benefit possesses true value.<sup>7</sup> The need for something that possesses a true value can be either essential or elevating. Examples of essential needs are those that are required for sustenance and survival, such as air, water, food, light, clothing, and shelter. Anything from which human beings draw material, spiritual, and social benefit possesses elevating value. Since human accomplishment (*kamal*) in terms of various forces and achievements is not—quantitatively and qualitatively—limited, human needs are also unlimited and varied. For this reason some creatures in nature and the goods manufactured by man possess little or no value at a particular time or place whereas the same things may possess true value in other places and times. Thus, true value, essential or elevating, is not absolute; rather it is dependent upon and relative to human existence and human desires. Food and fruits pleasant and fit for human consumption are for the sake of man's taste and special nature. A carpet, a beautiful painting, heart-ravishing sounds, sweet smells, natural scenery, scientific and artistic works, and instruments of entertainment all have come to acquire value because of the relations they bear to the human soul and senses. If a human being and his desires are taken away, everything would lose its value.

The more real value things possess, the more plentiful and graciously available they are to man and the less subject to human monopoly. Air is more essential than anything else for living organisms because no living creature can survive without it for more than a few seconds. If air becomes scarce would it be worth to the capitalists to give everything they have in exchange for some of it to breathe? Air, having such a high degree of real value, is dispersed in all directions and affects everyone's life. In its natural form, air is not limited. Also, without water living things could not survive beyond a little longer than without air. The sources of these life-giving substances are the atmosphere, sides of the mountains, and the depths of the earth. A substantial portion of the task of providing water is performed by nature's own "workers" and forces. These unpaid "workers" and "laborers" blow the wind and prepare the clouds, driving them in every direction and compressing them at certain heights. They preserve water in the depths of the earth and mountains and when temperatures freeze they burst open the rocks and allow the life-giving water to flow toward those in need. In addition to air, natural "food" produced by the earth is within the reach of everyone.

Because these primary resources of life are plentiful and to obtain them human hands are not needed (only in exceptional cases), they lack material and exchange value. Such values appear only when they become scarce or involve human labor or become possessions of a few.

### EXCHANGE VALUE

There are two fundamental conditions which make natural things and



manufactured commodities desirable. The two conditions are: 1) real value (essential or elevating); and 2) scarcity. Once these two conditions are met a person needing the commodity would attempt to obtain it in any way possible. Since the establishment of societies the legal and customary means of obtaining a commodity has been transaction and exchange. The exchange value of a commodity is determined on the basis of the right of ownership and the degree of desirability. The latter is determined by need followed by the availability of the commodity. The exchange value of a commodity is subject to variations. The variations are either "normal," e.g., in cases where a desired commodity is in excess of or less than the normal amount, or these variations are "abnormal" i.e., artificial. This occurs when the profiteers seeking additional profit hoard the commodity and increase the demand artificially and cut back the supply using certain means at their disposal. Taking this into account and from observation it is evident that ownership right depends upon the quantity of labor, and the value of labor, in turn, is a function of the degree of desirability which the commodity generates. If the relative quantity of labor performed in manufacturing that commodity has been excessive and the commodity has not been as desirable as was initially assumed, the consumer cannot be penalized for paying for the excess amount of labor and vice versa. What can be said is that usually one of the factors that determines the degree of desirability is the quantity of labor performed but not just any type of labor. Only that part of labor which reflects the individual talent of the artisan and the artist can be considered the basis of desirability and value. If the labor does not reflect the designing talent of an engineer, the art of an artist or his technique not only would be worthless but also harmful. Without mental and intellectual involvement, even if a worker spends hours using construction materials or metals and combines metals together, he has only wasted material and labor. The person who really creates the value is the one with skill and know-how and not the unthinking worker. Capital, labor, and raw material, irrespective of how valuable they may be, are merely devices for the embodiment and portrayal of craftsmanship and artistry. It is this aspect of stored labor that makes the raw material desirable and exchangeable. As the input of understanding, intellect, and talent rises, the material value of labor also rises. It is the duty of society and government to enhance the value of human attributes and talents parallel with satisfying public needs and to respect thoughts, ideas, and talents to allow spiritual attributes to flourish. If, instead of encouraging and stimulating these attributes, attention is directed to the value of labor and increase in production, the result is that humans are transformed into instruments and tools, bolts and nuts of a machine. Human labor, which ought to emanate from intellect, understanding and freedom comprising human or true value, is evaluated in accordance with the amount of stored labor. The last drop of human thought, talent, and strength is used in production which in itself is nothing but the destruction of the value of labor. On the other hand, if one does not take into account the

value of raw materials and the difference between the value (not ownership) of one metal or ore and another, it would amount to ignoring obvious facts which have already been mentioned.

How can we believe that the value of gold bullion and a piece of iron are equal based on the equal amount of stored labor?

## SUMMARY

To evaluate the real or exchange value of industrial commodities solely on the basis of the amount of embodied labor or work performed on them is acceptable neither from a theoretical and intellectual point of view or from the viewpoint of reality. Considering the discussion of value presented earlier and the ideas presented here, and the discussions and criticisms that have been advanced by researchers regarding this theory, the defense or the acceptance of the labor theory of value in a dry and limited fashion stems completely from prejudice and rigid imitation.

In this regard it is rather surprising that Marx, despite his inquiring ability and unique character, and those before him who shared his opinion have insisted on the validity of this theory and have endeavored to prove it by various justifications, economic reasonings, and formulas. Marx's position is not so surprising, and the answer to the question of why he and others supported this theory becomes clearer when one considers the conditions in the Occident during Marx's time, particularly in those countries where Marx lived and witnessed these conditions closely. As indicated earlier, prior to and at the beginning of the industrial transformation, the views and general methods which prevailed in Europe were based on unrestricted and unlimited freedom of ownership. This absolute freedom (capitalism) in Europe had been accepted as natural (or the Divine) order. Prior to the Industrial Revolution ominous consequences of this freedom were visible mainly around cities and villages and had not yet penetrated the hearts of the cities and the villages; the resulting pains and discomfort were not felt significantly. After the unforeseen and sudden occurrence of the Industrial Revolution, the deprived and the indigents gathered in factories and in the central part of cities. The unlimited and unrestricted freedom of capitalism put more and more stress upon these indigents. After the emergence of modern industries, the stress and discomfort exerted upon the working class was not the kind that would have been exerted upon a special class in a society. The gathering of people of this class in the centers of production and in the cities resulted in their becoming a central nervous system for the entire society such that its pains, sufferings, conditions, and happiness affected other classes and all aspects of society. Therefore, plans, general theories, reforms, and hypothetical remedies could not have cured such pains and general calamity. Human sentiments and thoughts could no longer be effective



against the capitalists' constantly blazing flames of greed. Also, the government and its laws protected the capitalists. Against these forces there were no laws or principles that could protect and secure the rights of the helpless. Under such circumstances, therefore, no other recourse was left to this class but to unite and rise up and destroy the existing conditions.<sup>6</sup> Marx, with total awareness of the existing conditions of his time and his inherent genius, well understood the roots of the oppressive order of his time and correctly identified the afflicted and their ready-to-be-aroused nerves. The study of the concept of value and Marx's explanation of the labor theory of value and his attempt to make workers aware of their position, value, and honor was the only means to unite, assemble, and make the oppressed realize their rights. Through such motivation and understanding, the workers could rise up and tear off the chains of oppressive rules and regulations.

Indeed, to understand and to perceive the right that has been trampled upon is the sole motive for demanding that right, whether by those who have been enslaved or those who seek justice and possess enlightened conscience and who may not belong to the oppressed and deprived class. History shows many prophets, reformers, and great wise men who were born into wealth and the aristocratic classes, yet rose up to rescue the oppressed and the deprived classes so the oppressed could demand their rights. Ironically, the oppressed classes often were content with their existing life and even defended their oppressors and the transgressors. Once the oppressors were defeated and had to yield to the people's rights, the same indigent people followed the leaders who had made them aware of their right and justice. These facts provide testimony that class deprivation and historical conditions, in whatever form they exist, are not the sole reasons for transformation. Based on a general theory which rests on dialectics and historical necessity, Marx and those who shared his views, tried (and are still trying) to provide a theory of value and, through extensive teachings and propaganda, provoke class consciousness and solidarity among workers and other deprived people so as to make them aware of their lost rights.

It was this awakening of worker's consciousness that mobilized them in the industrial environment and weakened the strong foundation of the previous social order. To save the oppressed people, those who possessed conscience began to be active along with the workers and other deprived people. The elements of change and revolution that Marx and his peers had devised emerged in Russia and reached their peak in 1917 in the midst of blood and fire. After the revolutionaries were victorious and once relative calm was restored, Marxism was tested. Until the end of World War II people of the world were not as aware as they should have been about what was going on behind the Iron Curtain. After the end of the war and the subsequent Soviet contact with the rest of the world, past developments and activity in the Soviet Union became more clear. Now the advantages and benefits as well as the disadvantages and detriments of these theories have become a subject for public scrutiny. Soviet



leaders are discussing the mistakes and divergences committed by past leaders and the errors in these theories. What is certain is that although the labor value which forms the foundation of Marx's theory enhances the value of workers as measured by the amount of work they perform, in practice it reduces the human value of work over a longer period of time. Although the Russian Revolution shook the world, eliminated some classes, and freed some human beings from oppression, it created a new class in the midst of the revolution which enjoys unlimited legal privileges and has taken control of the destiny and the affairs of the rest of the people.<sup>9</sup>

Lenin himself confessed that his party was the start of the dominance of a new class. However, he believed that the existence of this class was an exception. Many communist leaders (whose names do not need to be mentioned here) confess that the principles of capitalism and the ensuing transgression have not been eradicated totally despite all the foresight and measures they have taken; thus privileged classes have continued to survive in different forms. After the rise and rapid diversification of needs and growth of communication among peoples of the world, the thoughts, views, and efforts of reform-minded individuals have been directed toward finding ways and principles that would design and secure new social structures consistent with the general situation, existing traditions, customs, and specific conditions in each nation so that the lost human values and the usurped rights and freedom are restored and secured. Moreover, the new principles would eliminate prejudices regarding economic and social principles, and harmful slogans would lose their meaning and be replaced by wide-reaching thoughts and ideas and by slogans for peace and coexistence. As the peoples of the world come closer to each other, the faith in general relations, cooperation, and economic principles of wider applicability would take further root, and people would begin to realize the futility of restrictive economic principles which were once thought to be fixed and eternal. The protective walls which once surrounded past theories and the integrity of their proponents are crumbling one by one. It is becoming constantly clear now to everyone that public pains and griefs do not merely stem from ill-matched economic systems, which consists of more than mere economic power. In fact, the imbalance in the situation is due to other deviations and distortions. Economic power is one form of power and its useful impact on and importance in human societies go far beyond such concepts as "negation," "destruction," "proof," and "regeneration."

#### NOTES

1. "Dialectics" is an ancient term. The Greek philosophers had divided discussion and argumentation into two parts: dialectics and oration.

Heracleitus who was a philosopher in the later part of sixth century B.C. expressed the idea of change thus: "Upon those who step into the same rivers, different and ever different waters flow down." That is, just as it is impossible to enter the waters of the same river twice, the world, too, with all its beings, time, and space, is in a constant state of motion without a moment's rest. Nothing can absolutely be considered as existing or non-existing, he maintained. Therefore, the real contradiction does not lie within beings. Contradiction is only a nominal matter and dialectics rests upon relative contradiction.

Socrates, one of the famous early fifth century B.C. philosophers, believed in fixed truths and realities and used a distinct method in argument. He regarded the source of intellectual, moral, and social degradation to be the double ignorance of those who prided their knowledge on science and arts. Therefore, by resorting to skepticism, proof, and contradiction in arguments he persuaded the other person to realize his ignorance, i.e., transformed his double ignorance into simple ignorance. Then, from the interstices of primary and simple perceptions, Socrates was able to reveal the correct meaning and truths from within the mind of the person. He believed that the discovery of the truth was among man's first nature but this ability had been covered by man's preoccupation with senses, confused imagination, pride, and double ignorance. Because he used this method to reveal the truth he referred to himself as a "gadfly" of the Athenian society. His method came to be known as Socratic dialectics.

Plato also followed the path of his master, Socrates. Believing in metaphysical truth and accepting the concept of "archetypal idea," Plato followed progressive dialectics in his arguments and philosophical discussions.

Although the notion of absolute form is not directly due to Socrates, Plato attributes it to him in *The Republic*. Aristotle instituted and popularized the method of logical reasoning in order to avoid logical pitfalls. One of its important components is the deductive reasoning which is based upon logical certainty (axioms, observations, conjecture, experiments, repetition, and natural phenomena).

The method of reasoning and logic of the Greek philosophers constituted the intellectual essence and basis for scientists and researchers for many centuries until the time of Western scientific and intellectual transformation. Among the first to innovate a special method of reaching logical certainty was the French mathematician-philosopher Rene' Descartes (1596-1650). To guide the intellect to the truth he utilized the method of skepticism: "I think, therefore I am. . . ." Immanuel Kant (1724-1804) adopted the method of skepticism and that is outlined in his critique of pure and practical reason. He relied upon the principle of contradiction and contrast and kept pure thinking away from mixing with things which would reflect on the senses.

George Hegel (1770-1831) followed the views of Heracleitus in his philosophical methods and considered all beings in a state of motion and change. In methods of reasoning and other matters he followed Kant.

He believed that man first begins with perception and reasoning. The prevalent logic is comprehensible by everyone but intellectual reasoning is broader and superior in which opposing poles do not come together and integration of contradictory things is impossible. By understanding the two opposite concepts the mind discovers the truth. The absolute truth and will, similar to light and darkness, have existence neither in the mind nor in the physical world. It is the intellect that is capable of wresting sense out of contradiction between existence and non-existence, light and darkness. This, according to Hegel, is the subjective truth and at the same time the objective reality of living things. Thus, using deductive reasoning one can conclude that whatever intellect comprehends is the truth. Therefore, the collection of contradictions shapes the truth about things. Using this method it is possible to arrive at higher meanings of elementary notions such as existence versus non-existence, light versus darkness.

Hegel claims that he has been able to free logical reasoning from contradiction and contrast and has based existence, evolution, and change on contrast. This is, he maintains, because to believe in absolute existence or non-existence implies stagnation which is contradictory to the con-



stantly changing and dynamic nature of beings; within each being there exists its own antithesis.

Marx has followed the Hegelian method of dialectics, contrast, and motion, but, contrary to Hegel, Marx believes that human consciousness is a reflection of realities. He says that causal relationships are based on gradual material changes which lead to qualitative changes. This is the very same dynamic change that exists within the nature of beings. It is similar to the gradual increase or decrease in temperature which suddenly reaches the critical point bringing about qualitative change.

2. From this aspect, the theory resembles that of the unreal views of gnosticism.

3. Slavery means to curtail a person's freedom and make him a property of someone else. Just as different arrangements apply to ownership of objects, ownership of humans too has different facets. Man's possession of his own body and labor, for example, is different than ownership of land, structures, and tools. Although man owns his own body he has no right to commit suicide or sell himself.

\*In summary, right of possession is a form of ownership. Therefore, slavery which is defined as curtailment of a person's freedom or confiscating the product of his labor differs from other forms of ownership. A father or a husband who interferes in the affairs of his wife and children by curtailing their freedom is a form of owner. This is true also of masters with respect to their servants, rulers and the ruled, conqueror and the captive.

This kind of ownership and possession has existed among nations and tribes in various degrees. The greater the capability of maintaining ownership and exploiting others, the greater the chances that those who lack mental ability and physical strength will be subjugated. With the expansion of agriculture and other activities, [the opportunity] to plunder others and take possession of humans transcended the family and tribal boundaries. Once others were taken prisoners or brought into subservience and if they were found worthy of domestic or military use, they would be kept, otherwise sold or destroyed. Slavery, i.e., curtailment of human freedom, occurred in various degrees depending upon the power and authority of the masters, aristocrats, and landlords. It ranged from depriving someone of his own crops to buying and selling, torture and beating, curtailing a person's right to a wife and children, even killing and burning. This curtailment of freedom did not just result from war and imprisonment. More often the poor had to sell their wives and children in order to lessen the burden of supporting them. In some countries the rulers and the aristocrats would bring people into their possession under the pretext that they had violated the law.

The natural reasons for slavery in history are repression, greed, privilege which had existed in limited forms among tribes. With the advent of civilization and societies, various rules governing slavery were devised in accordance with the condition of the place and the form of government. The limits and rules governing slavery were not the same everywhere and at all times. Even today one can witness slavery, without a name being mentioned. In various forms, slavery can be seen among nations who claim to have the most advanced human civilization.

4. These verses and those which pertain to the creation of heaven, the earth, life, death, and everything which exists on earth, proclaim the betterment of life's condition and progress to be the ultimate aim in Creation.

5. These verses further demonstrate that an easy and rapid progress toward a better life is the result of God's benevolence and man's piety and submission [to the will of God]. Imam 'Ali, peace be upon him, has also emphasized this point; "Value of each man depends upon the art and skill which he has attained" (*Nahjul Balagha*, Saying 81, p. 280).

6. It is similar to the initial phase of a fetus whose movement and growth is dependent upon the mother's womb; then it becomes independent. Or, a satellite whose mechanical power and strength is effective only to the point of earth's gravitational field. Once it has broken away from the earth's gravity and gone into an orbit, it becomes independent of its initial dynamic power.



7. This value is more than the exchange value and less than human value.

8. The following views are of the late [Indian Prime Minister] and a great man of the east [Jawaharlal] Nehru regarding Marxism, taken from an interview conducted by Mr. Karanjia:

*Karanjia:* I would like you to submit the Marxist analysis to the Indian situation as also other objective conditions to which you have made references before.

*Nehru:* I was coming to that. In considering what may be called the economic or social philosophy, one learns, of course, a great deal from past experience; and I have always considered the Marxist analysis of the past very scientific and very illuminating. I do not agree with everything Marx says, but broadly I have found it useful and rational. Nevertheless, the fact must be remembered that Marxism was the outcome of the beginnings of the Industrial Revolution in England, the early beginnings when conditions were rather peculiar and very special, conditions which have not been repeated elsewhere in the world and quite naturally so. Marx was influenced by the abnormal and, I should say, abominable conditions which prevailed in the first flush of industrialization when there was nothing like a democratic structure of the state and changes had to be made violently for the simple reason that they could not be made constitutionally or democratically. Hence his doctrine of revolutionary violence.

Now when we face the problem of production, change etc., dealt with by Marx, today, we have to think of them in the context of our own times, our own country and our peculiar circumstances and objective conditions. We cannot go back to conditions in early nineteenth-century England in which Marx functioned. It is *our* conditions that prevail and fashion our thought. The Marxist solutions follow a brilliant line. They may have been right and proper for the times and the problems which brought them into being, but you cannot remove them from their historical context and apply them to a century where different conditions prevail. That is one argument against dogmatic insistence on the Marxist solutions.

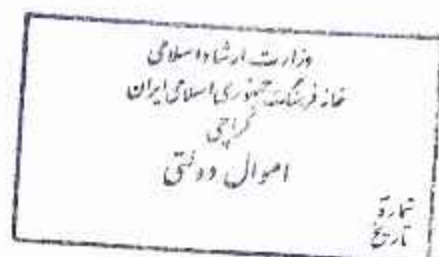
Secondly, the Marxist analysis of many thing, historical forces and the like, was *in vacuo* a correct analysis. Let me explain what I mean. If you do not think of other forces coming into the picture, the direction of Marxist economy, which says that given such and such conditions, this or that will happen, or should happen, is logically correct. But the trouble is that Marx does not take into account *other* forces that might come into play in the future. That, of course, was not the fault of Marx. He saw the conditions as they were during his period and used them as the premises for his conclusions. Then other forces came in. The most important of them was political democracy which made possible peaceful change. Remember that in Marx's time there was no political democracy, even in the so-called democratic countries, where the land-owning class was in the government. Now the mere fact of the vote coming in, even though it does not solve all problems, does make and has made vital differences. When everybody has a vote it becomes a power exercising certain pulls, certain effective pressures, in the direction of social change to an extent that Marx could not have conceived simply because the picture was not before him.

Then other and further democratic factors came into the picture, like trade union organizations, workers' organizations, peasant organizations—all exercising powerful pressures upon the wealthy ruling classes in favour of what might be called the beginnings of economic democracy. The result was that the Marxist fear in the context of the Industrial Revolution that there would be greater and greater concentration of wealth and power in fewer and fewer hands, extending and widening poverty, did not really occur. These pressures—partly democratic, partly trade union and others that followed—had a powerful impact in limiting both. I do not dispute the fact that the economic tendency which Marx foresaw happened, but it was limited and inhibited all the time by these objective conditions.

There were new types of organizations growing in the political background which was changing, continuously and radically, on one side, accelerating the urge for social justice and the will to social change. On the other, the world was being revolutionized by really big and tremendous technological developments, of which nobody in the nineteenth century, Marx or any other thinker, could have had any awareness. [R. K. Keranjia, *The Mind of Mr. Nehru* (London: George

Allen & Unwin LTD, 1960), pp. 27-30.]

9. In any case, predictions and promises that were expressed about this child of the revolution have turned out to be something else. Two dominant and powerful classes—bureaucratic and military—have emerged in communist countries. If we consider the emergence of these two classes as necessary for the revolution and their continuous existence, they should be expected to disappear gradually. But as time progresses, their true faces appear and their foundation becomes stronger. In confronting bureaucratic and military classes, capitalist and working classes (the proletariat) have lost their class identity and no longer play a decisive and effective role in the struggle for social change. In communist countries, finding the solution and the power to confront these two newly emerged classes are among the most difficult issues. In summary, what has occurred was not foreseen and that which was foreseen has not occurred.



# IV

## Economy Viewed in the Light of Faith and Belief

Islam attests to the fact that the source of social and economic phenomena is human beings. Ideas, morality, instincts, and intrinsic (*fetri*) tendencies comprise the human character. The nature of social, economic, and class relations reflects the combination of these aspects of the human self. Human character, in general, has two aspects: the first includes constant principles which are peculiar to man. If these principles are taken away from him, he will become an entity different from that which he originally was meant to be. These principles are common to all peoples regardless of space and time. They are as follows: scientific curiosity for truth (understanding causes and effects); practical curiosity for justice (establishing justice and helping a claimant to gain his rights); seeking perfection (progress in science and securing power and survival); benevolence (kindness, care, and sacrifice); and love of wealth (securing pleasures, fulfilling appetites, or lusting for power). The other aspect of the human self includes the inconstant principles.

Human emotions result from the combination of these principles and natural powers, and the dominance of one type over the other. This process or interactions change, depending upon social, economic, and hereditary conditions.

### THE STRUCTURE OF SOCIETY AND HISTORICAL DYNAMISM

Based on this view, whether the constant human principles dominate the



environment or whether man becomes subject to the environment and economic means and conditions, the root of societal structure and historical change lies in man himself.<sup>1</sup> Indeed, the dynamic force in history comes from conflict between the constant principles and the rebellious human soul influenced by social conditions, pleasures, animal appetites, needs, and the environment. If humanity is defeated by the interaction between high human potentials and economic means and ends, class conflict emerges. If this conflict grows acute, either all classes are destroyed followed by the annihilation of society and civilization or the ruling and dominant class first, and after them the ruled, are all destroyed. At any rate this verse of the Qur'an "How many were the gardens and the water-springs they left behind. And the cornlands and the goodly sites" (XLIV: 25-26), will be spoken at the site of their glorious buildings and castles which have also been sites of oppression and cruelty. If, hypothetically, humanity is victorious and the possessive instincts and factors are defeated or abandoned—and consequently conflict and dynamism vanish—the end will be stagnation and destruction.<sup>2</sup> In other words, the dominance of emotional pleasures, including its means and ends, results in self-centeredness (self-worship), and absolute dominance of human elements results in stagnation and the deterioration of the individual. As the foundation of society and human life depend on the liberty of the individual for welfare and interest of society, lack of balance between them will destroy society.

The path to survival and perfection is to strike a balance between the opposing human elements, the impulse to sacrifice and the impulse to appetite (derived from passions and needs and the source of self-centeredness), in such a way that the one does not dominate the other. It is the interaction between these two opposing human poles that makes material and spiritual evolution unceasing and the individual as well as social forces to prosper.

Needs and material necessities constantly motivate and strengthen self impulses—selfishness, pleasure, and profiteering. They do not need external stimuli.<sup>3</sup> But human elements should be stimulated deeply and strengthened by education and training, so that they can reverse and modify the stormy waves of appetites like a strong rock. Intensive education and training in the areas of faith and reform of instinct can strengthen human elements ("He it is Who hath sent among the unlettered ones a messenger of their own, to recite unto them His revelations, to make them grow and to teach them the Scripture and wisdom") (LXII: 2).<sup>4</sup> Only a faith which derives from instinct (*fetrat*, the first attribute of wisdom) and is approved by the demonstrative intellect (*'aql-estadlali*) has spiritual strength. The will to power and search for perfection are the most important stimuli of instinct, while discovering the source of power and the reason for creation are the most desirable aspirations of the demonstrative intellect. These instinctive and intellectual aspirations are the sources of intellectual power, the burgeoning of talents, and the attainment of human perfection. In each phase, if man's drive for perfection diminishes, the

conflicting elements and stimuli will prevail and the human elements will be undermined. To avoid such an event and to continue the evolution, it is imperative to believe in perfection and an absolute, unlimited power. The first pillar of the Islamic creed and the reality of the call of the oneness of God (*tawhid*), indeed, pertains to the belief in the absolute power and perfection of God. Only such a conviction can transform a society from self-centeredness to thinking about self-perfection. One of its effects is the belief that the right to ownership and possession belongs only to God. It is He who has constant and just authority over man and other creations. Man is responsible before Him and the masses. Based on this view, earthly resources and blessings of nature do not belong to any one group or class. However, man, with his intellectual ability and creativity, can possess and use them. No one has the right to stop others from doing so or to transgress on what has already been obtained by labor and creativity.

The verses of the Qur'an have declared explicitly God's absolute right to ownership, possession, subjugation (*taskhir*), transfer (*ja'l*), and every arrangement (*vaz'*), and man's right to utilization (limited possession):

And hath made of service unto you whatsoever is in the heavens and whatsoever is in the earth; it is all from him.

(XLV: 13)

Who hath appointed the earth a resting place for you.

(II: 22)

And the earth hath He appointed for (His) creatures.

(LV: 10)

Joining the source of goodness and compassion can raise man so high and broaden his mind so far as to enable him to look at all peoples equally. From the continual practice of this action every fountain of compassion and generosity will spring from the heart and will flow from the action.<sup>6</sup>

Although it has its roots in the instinct and simple intellect, reaching for God and absolute perfection are not easily understood and absorbed by common people. The reason is that intellect is one branch of the human soul. Lusts and different kinds of attraction which strengthen and deepen their roots in men influence and inevitably defeat the human soul. So the instinctive and intrinsic desires should be guided and the impulses seeking perfection should be developed and grown. Will to power, securing one's survival, attaining pure and constant pleasures, and having a secure and safe environment are among the principal human desires. The desire to unlimited wealth, to construct buildings which outlast human life by standing for hundreds of years, and the struggle to attain positions of respectability and responsibility are distinctive characteristics of human beings, even though they arise from a sense of insecurity and are means to power, survival, and pleasure.

Are all these powerful human stimuli useless or do these deep-rooted and



widespread desires and wishes have a place within the material world? Is it not a fact that each desire loses its importance after gratification and each beloved object loses its attraction after it is attained and may even be resented? Pure, sensual and constant pleasure is only seen in animal life but this is only a path that man took to which he will never be happy to return. Calling man names or assigning to him the characteristics of animals is considered insulting. Man is willing to overlook the pleasures at hand for higher and even unknown desires. He sacrifices his belongings to achieve them even though it might take a long time. If we consider these human qualities, attributes, and impulses useless, the principles of causality, relativity, and deduction which are the mainstay of research and the discovery of the secrets and mysteries of creation will lose their foundation.

The second ideological pillar of Islam is based on these intrinsic impulses and emotional desires. Islam puts forward the belief on reckoning and the Day of Judgment (the higher life and return to eternal and human life). By presenting psychic and natural proofs, Islam tries to broaden man's vision and prepare him for a higher life. The material life, in this view, does not constitute the eternal life of man. The surface of the earth is a cradle for improvement and training for man's potentials, through which he will elevate himself. Therefore, Earth is the ship of voyagers and the inn of newcomers to allow each one to attain, based on his potentials and action, provisions from this bounty of material and spiritual endowments for a higher life. Gratitude for all these blessings is to know the Owner of this house and to implement His covenant.<sup>6</sup> In accordance with this covenant anyone may, depending on his ability, produce and utilize natural resources and use them justly according to his needs. In this broad view, material wealth, production, and distribution do not limit man's potential, intellect, and thinking. Rather they are means of climbing up to the next world. Shifting attention from the conflicting and limited desires to higher human ideals can bring about a relative unification of ideals and practices. Through this fellow travelers can cooperate and attain provisions together. They clear the path for each other, change the unknowns to knowns, discord to cooperation, fears to friendships, and wars to peace. With this change in direction it is possible to cooperate in survival, a human desire to replace the struggle for survival, which we inherited from animals and the jungle. Wealth, which is a means, should not be mistaken for a goal and replaced by it. It is difficult for people who have opened their eyes in the economic environment of the century of industrial development to imagine societies based on faith and human feelings. These people are alienated and astonished, living under governments which have usurped the means of production and material elements. They have forgotten human values and real human desires and they perceive all aspects of life through economic considerations and class conflicts. They have elevated the value of wealth so high that, compared to it, they consider man a powerless instrument and make him prostrate before the means and the machinery of pro-



duction. Since it is hard for such a people to imagine a society based on faith or something resembling it, the realization of such a society is all the more difficult. In fact, in such corners of the modern world where agitators and power seekers are not operating and their growls are not heard, there exists relative peace, cooperation, and sincerity. Did not cooperation and kindness govern small communities before the nation state was born in modern history? Do not kindness and affection govern in the small environment of a healthy family? Is it not possible to restore peace and prosperity between man, his spouse, and his children, even when the instinct of amassing wealth—which results in lying, disloyalty, and taking advantage of one another—takes the place of kindness and affection? Is human community not a macrocosm of the family unit? Small and large communities, established under the guardianship and care of exalted prophets and just and righteous men, are models which herald the possibility of realizing spiritual and healthy communities. The early community of Islam—during the time when the flame of faith enlightened the thoughts and the Islamic *khelafat* (caliphate) had not changed to absolute monarchy (*saltanat-e motlaq*)—is the most notable example of such a community. Even later, tyranny and the violation of laws and limits centered only around the absolute and the autocratic powers that used Islam as a camouflage for their objectives and atrocities. If we move away from the centers of power and their agents and compare the Muslim masses with other communities, we see that there existed less infringement, injustice, and violation of rights among Muslims than in other societies. During many centuries from the dawn of Islam until the birth of colonialism and *gharbzadegi* ['weststruckness'],<sup>7</sup> neither landownership nor capitalism in the Islamic world resembled that of other countries. Unlike the feudal lords of Western lands and other countries, Muslim landowners did not have absolute ownership over land and the peasants. They would not massacre or expel them en masse. They were not lawmakers, guardians (*motavali*), judges or executioners. They were, more or less, ruled by Islamic faith and legal injunctions. Muslim capitalists in accordance with Islamic principles and injunctions were restrained from openly engaging in usury and hoarding or taking away the rights of workers and peasants. On the contrary, most Muslim landowners and capitalists were sources of great charities and services. The following are among the normal and common activities of wealthy Muslim either while alive or posthumously after their death: establishing charitable institutions, hospitals, and endowments, constructing roads, bridges, and inns; and providing immense financial help and care for the poor.

Before the crusades, the emergence of the technology and the all-embracing influence of Western colonialism, class conflict, as had been foreseen and which occurred in Europe, had not emerged in Muslim countries. Generally, the ruling class in Islamic countries did not emerge from large landowners or capitalists proper. It mostly consisted of invaders who established

their power by arms and plundered the public treasury and spent it to keep themselves in power.

### IN ISLAM ECONOMICS IS NOT IMPRACTICAL AND SEPARATE FROM SOCIETY

As Islam attests to the reality of human potentials and talents, it considers man, with his special composition, as the founder of society, economy, and history. Human potentials and talents are so intertwined that the nature and effect of each one cannot be studied separately. In fact, individuals seek material desires while preserving spiritual values and vice versa. In this respect, Islamic theories and laws are based on scientific assumptions and are not divorced from human desires. Islam, whose call and theoretical and practical principles are to elevate man's stature in all realms, does not have a myopic view. If man is taken to be an instrument of production and distribution, and he exists solely to satisfy needs and attain food and shelter—totally preoccupied with satisfying these needs—only then can there exist, independent from man, a place for imaginary theories of economics and their application. Such a misconception and intellectual deception has led the intellectual leaders of the technological age to unrealistic and useless scientific hypotheses. Even if these hypotheses prove to have some use and outcome, because they are limited and relative, they cannot offer satisfactory solutions for man at a given time and place. Furthermore, they constantly add to human conflict and bewilderment. Theoretical and legal principles, independent of men's moral conscience and his other desires and ideals, can be understood and implemented only for a special group or class in a short span of time.

Before presenting its plan and establishing its foundation, Islam considers and prepares the intellectual grounds. By purging the mind of *sherk* [polytheism] and the soul from wickedness, Islam embellishes human beings with faith and righteousness. Then it puts into practice its comprehensive plan (principles and laws) and shows its practice and execution with the cooperation of qualified and willing men (guardians and reformers). A cynic either does not pay attention to the aim of the landlord, (i.e., God) or is not familiar with his intentions and ideas. He considers only one corner of the structure of Islam from within and does not see the general features of this grand design. (This is similar to well-intentioned comments made by common people with limited view about a building, without considering the position of the lot, the needs of its inhabitants, or the general environment. Their comments either do not conform to the views of the owner or do not cover all aspects of the building.)

### THE ROOTS OF ISLAMIC LAWS

Usually, society is composed of people who are bound by its laws and



social contracts. They consider themselves mutually responsible to uphold them. The more deep-rooted this belief in responsibility, the firmer is the foundation of society. Furthermore, since society is a moving and evolving entity, the end and the goal toward which the social organism moves should be clarified. A society without a set goal and purpose does not have the potential for survival.

Recognition of the goal establishes the foundation of society and that in turn defines rights and duties. The latter serves as the basis for legislating and formulating laws. Enforcement of laws in a society depends upon the members' spiritual and conscientious responsibility and their belief in the purpose of society. Therefore, a lawmaker should possess the following characteristics.

First, he should be aware of the ultimate goals of the individual, as well as the dynamism of society so that movement and process is not hindered in any phase of development and rules satisfy all needs. Otherwise he should propose limited aims consistent with securing national independence, economic relations, and other such self-restrictive objectives. He must provide a stimulating slogan to clear the way; otherwise stagnation is very well assured. Such a society will vanish like a stagnant, infectious, and foul body of water that either will eventually sink into the ground or will evaporate.

Second, the lawmaker should be well versed in the complexity of the human psyche, desires, and values to be able to promulgate comprehensive principles and laws. These laws are based on rights that, in turn, are based on the limited interrelationships between emotions of individuals and creatures. If the lawmaker considers only one dimension of man and legislates accordingly, not only will he overlook human rights, but also in the name of law he will misdirect the humans. At first this deviation, like a mirage that one confuses with real water, can be mistaken for the true path, but its end is confusion and annihilation.

Third, the lawmaker should be free from environmental and class influences and emotional desires, so that laws are promulgated for everyone's welfare by encompassing and uniting all people.

Fourth, the people and social classes should believe in law and the position of the lawmaker, so that the principles of law can be willingly enforced. The majority of the people should be responsible for implementing and enforcing them.

### THE DEFICIENCIES OF CUSTOMARY ('ORF) LAWS

Regardless of the level of competency of ordinary lawmakers or the precision and seemingly perfect nature of customary law, lawmakers lack the aforementioned conditions and characteristics. Even if one is familiar with the complexity of the human psyche, its manifestations, and the legal rights deriv-



ed from it, one should be able to perform miracles, if one is to formulate laws. Aside from a full understanding of natural conditions and peculiarities, complex human emotions and instincts and their characteristics, effects, and limitations, it is necessary, when legislating, for the lawmaker to be free from desires, psychological complexes, tendencies, grudges, and conscious or unconscious influences. Regardless of his good intentions, the ordinary person cannot be free of the influence of natural instincts and environmental conditions. Given the fact that customs and social relations are the product of human needs, habits, and past and present experiences combined with perceptions, powers, and psychological complexes, how can man be free?

To illustrate the deficiencies and shortcomings of customary laws for those people who have been prisoners of these types of laws since their birth and see nothing but the status quo, consider the following:

1. The foundation of customary law is based on habits, experiences, and the discovery of the relations among various aspects of social life. However, the discovery of social relations, unlike the discovery of natural principles, is not real and permanent. Therefore, customary laws can be neither real and permanent, nor always in everyone's interest.

2. Customary laws are based on experiences about limited socioeconomic conditions of the past and present times; they cannot be intrapolated into the future. Considering that laws are formulated for stability and unity among classes, customary laws are susceptible to change and modification.

3. As both the basic and secondary principles of customary laws are susceptible to change and modification, they are bound to produce privileged ruling classes in society. They become the foundation of tyrannical government in the form of law. These laws are made into chains which prove very difficult and expensive to break.

4. Human laws, which are inescapably mixed with psychological complexes and desires, replace one injustice with another and one wrong doing with the next. Even if they secure the interest of one group, inevitably they damage other groups and classes.

5. Because these laws do not attest to human forces and instincts and are not set to modify and harmonize with human emotions, inconsistency and conflict arise among human laws and values. Usually members of society feel the pressure of these laws. At the first opportunity they persuade people to free themselves from such laws.

6. Because these laws are not combined with faith and the dictates of conscience and do not conform to the desires and interests of individuals and classes, they are crippled. It is for this reason that, parallel to the development of laws and bylaws, elaborate enforcement regulations are set down. For these regulations and other executive powers, legal inspectors are put to work. Furthermore, as the enforcement officers lack conscientious responsibility, often they overlook the laws—sneer at the legislator—intimidated by threat and cor-

ruption. More important problems and difficulties stem from the fact that the wielders of executive power become a special class which combined with the legislative class causes calamities, oppression, and rebellion.

The deficiencies of customary laws and the damage to individuals are beyond examination. In addition to damages, there are lost gains which never can be recovered. Those people who consider only the features of civilizations and human societies think that it is just human customary laws (i.e., the product of experiences, habits, and limitations which have transformed individuals and classes into society and civilization). A close and careful examination shows that good relationships among people and useful social results are partly the product of morality and people's consciences and partly the product of principles and laws beyond human imagination and thought. A true foundation for civilization is based on the latter kind of inspiration. In any society whose foundations collapse customary laws are terminated and the structure falls apart. Scholars and researchers who are considered innovators by their disciples will recognize this fact.<sup>8</sup>

The function of laws is only to regulate and limit human relations in all areas. As the source of these relations is human forces and instincts whose principles are constant, the legal principles which serve to regulate and limit these relations should also be permanent and unchanging. Even the natural qualities of natural species, the limits of their instincts and their effects, are regulated and systematic. The manifestation of powers and instincts in man, who is part of this world and its makeup, in the arena of actions and relations with each other should also be regulated. Otherwise, the power of freedom and of free will which recognizes no standard or boundary will create chaos in human life.

To conclude, there should be sincere, permanent, and just relations among human communities. The discovery of the principles of these relations is not possible for man who despite his position and stature inevitably is subject to the environment and human instincts. Hence, either we should submit to this dark chaos which exists in human relations, acknowledging that man, despite his intellect and free will, in a world whose parts and whole are subject to logical relationships and orders, should live in confusion and error, and consider man's intellect and free will merely as the cause and means of misery and error; or we should believe in and submit to the fact that the eternal Power Who has established the whole natural creation in a systematic and regulated fashion has legislated laws and systems for man and guides us to discover them. Revelation and guidance for the discovery of these principles and laws are not possible except through man himself. The basic characteristic of a man who is worthy of and able to understand and discover revelation is that his mind and intellect should be free from the darkness, entrapment, and interferences from instinctive elements and environmental conditions. He should be superior and pure. No influential elements, other than justice, generosity, and welfare should dominate his mind. The need for these types of laws and persons is



similar to the need of eyes for eyelids to modify the intensity of sunlight that the eyes cannot tolerate. Is there any existent or nonexistent pain and suffering for which a cure cannot be found in the whole of creation? The constant search to find cures for new pains and diseases proves this fact.

Considering the unending creativity in the world, the diversity of creatures, and especially the various intellectual and practical talents capable of understanding all of man's problems, the emergence of such personalities is neither rare nor unnecessary. These people, having special qualities and attributes, are the spokesmen for truth, law, and God's will. They are known as *rasul* [messenger] and *nabi* [prophet].<sup>9</sup>

The prophets do not see the problems of humanity in terms of economic processes and social relations. They do not present, at the beginning of their call, economic and social programs. In light of inspiration and revelation, they first consider the complex structure of human nature and man's internal problems. Indeed, the most important human problem is not the lack of economic and social principles and rules. Even if laws attest to rights and justice, if they are not integrated with belief in truth and moral responsibility, they can neither help to unite individuals to form an interconnected and sound society nor can they be completely enforced. Belief in truth and the laws derived from it work as the agent of spiritual unity in society and as the guarantor and guardian. Such belief should enlighten and strengthen the mind and heart of humanity before legislation of laws and promulgation of rules and principles can succeed.

### MAN HAS OTHER INNATE PROBLEMS THAT TAKE PRIORITY OVER SOLVING THE PROBLEM OF BELIEF IN LAWS

The inability of the intellect to understand absolute truth, the impotence before natural principles, various needs, constant subjugation by human weaknesses, and other reasons undermine man's independence and his spirituality. This has caused the following complex and important dilemma in human minds: while subjugated and self-alienated, man considers himself free and independent. Curing this sickness and solving this problem are beyond human capabilities and remedies. Through inspiration and revelation, the prophets first seek a cure to this problem and attempt to unravel these complicated and intertwined internal complexes. The call to the oneness of God (*tauhid*)—the inspiration to the spirit of faith in absolute truth—is to free humanity from the chains of enslavement to untruth, to unravel the psychological complexes of subjugation and suffering among people. Through this method the prophets succeeded in curing minds and restoring human dignity (as far as potential and conditions permitted). After this intellectual and mental process, and the awakening of the spirit of compassion, salvation, justice and kindness, they elaborated the *shari'at* [the general religious laws],



and the regulations derived from it, relative to time and place. In parallel with the expanding and deepening belief in absolute truth, the domain of laws and principles was developed and was completed by the Islamic religious laws.

This has been the method and cure advanced by all the prophets and it has been perfected by Islam. The methods of the prophets and their successes in the past are not hidden from anyone. Here is a summary of the method of Islamic legislation, the founding principles and prerequisites of Islamic law, and its distinctive points:

1. Islam, through absolute truth and strengthened belief in *tawhid*, works to cure the retrogression of intellect, the disillusioned mind, and the internal psychological complexes. Human principles and laws, on the contrary, do not have access to the domain of the inner self and do not pay attention to it. The pressure of arid and obligatory human laws retrograde the intellect and add to the obstacles.

2. Islam frees man from slavery to man and his man-made laws and makes him submit to God Who is the absolute truth and good. This, in fact, is the meaning of Islam. Man-made laws, on the other hand, growing out of customs and habits which are always in line with the interest and domains of a particular group, subjugate man.<sup>10</sup>

3. Islam awakens and activates the sense of and the care for truth, goodness, the recognition of good and evil, and the understanding of the spirit of the law in the minds of people through its rational and practical training. But the laws derived from habits and class interest deprive people of their intellect and understanding so that they become totally submissive.

4. Islam, with its various special teachings, elevates the value of man and strengthens personal authority and independence in resisting lustful drives and the love of wealth, so that man may be his own sovereign and the owner of this wealth, and not vice versa. That is to say, the root of personal and social evil is not private ownership. The problems arise when man is the subject of and preoccupied with desires and the attractions of wealth to such an extent that preoccupation with amassing wealth destroys his mind, thought, and benevolence. The attractions of various desires can lead man in unwanted directions and to unwanted actions. On the contrary, if man is truly the owner and not the owned, the farsighted and prudent intellect of man will allow ownership so long as it is for the good of himself and others. The reformers and solution seekers of economic problems have completely overlooked this fact. They do not pay attention to this fact in composing and formulating their designs and rules. Indeed, despite their world view they are not able to see this natural truth.

5. The most important effect of Islamic teaching and training is that it instills faith in individuals and guarantees their responsibility to the laws of the community and to their implementation. Through this mental cure and upon this legislative foundation, Islamic injunctions and laws become sound con-

tracts and agreements, constantly linked to faith and conviction. As a corollary to what was discussed, a legal system that is perfect from the standpoint of the law should have certain qualities. These are as follows:

First, a perfect legal system should establish permanent and comprehensive foundations and principles. It should also be accepted by the people so that the social form, established by systematic principles, public relations, and covenant, can be preserved and the rules and bylaws can be deduced and determined.

Second, the components of these foundations and principles should conform to social conditions and events.

Third, both basic and derivative governing injunctions should have dynamism. In other words, they should have the evolutionary potential enabling them to develop constantly.

Fourth, legal assistants, threats, and promises should supplement injunctions and laws in order to help the implementation of the laws and to protect them against corruption, contradiction, and misinterpretation (*ta'wil*). (This characteristic is in addition to the belief in its principles and moral responsibility.)

Is there any religious law other than the one promulgated by Islam which encompasses all social and economic principles in conformity with higher human aims, instincts, and nature, and provides solutions for spiritual problems of the past and the future?

After these three phases; (a) unraveling the human mind and psyche, (b) strengthening the foundation of faith in human goals and values; and (c) expounding on the nature and general aims of the religion and principles of legislation; Islam, in the framework of the Qur'an, the traditions, and reasoning conforming to the faith allows independent reasoning (*ejtehad*) for deduction and analogy. Then it guarantees the implementation of the injunctions based on responsibility, the covenant of faith and hope in the final phase for salvation, and fear of punishment with penal injunctions. This method and process could only be understood by contemplating the verses in the Qur'an which is the fountainhead of the Islamic religion and the precise and sound source of the laws, the quality of its transmission (*nuzul*), and the order of its verses. Through its own special intrinsic reasoning, the Qur'an first frees man from joining with, attaching to, or following any imperfect being [one that will stop and disturb the intellect] and guide him to the path of belief in God (the absolute justice, wisdom, and truth) and resurrection (ultimate human end). Then it explains the general principles of intellect and nature which are both the sources and the roots of the laws, and the reasons for the injunctions and the laws; the collection of laws is to help strengthen them. They include articles of faith, piety, reverence, justice, equity (scientific justice), good conduct, and beneficence. (An important part of the Qur'an verses is a call to these principles and expounding on their effects in material and spiritual domains.) After ex-

plaining these types of general intellectual and natural principles, and their place in the mind of man for the supervision of all injunctions, laws and behaviors, the Qur'an expounds comprehensively and definitively on the injunctions and the foundations of the law (*shari'at*) without detailed elaboration, with some exceptions such as the verses on inheritance. These injunctions and their foundations, along with sound (*sahih*), traditions (*sunnat*), and the principles derived from them, have opened the path to independent reasoning (*ejtehad*) guided by faith. In addition, Islamic jurisprudence (*feqh*) recognizes the well-known precepts of public welfare and good habits and customs as a source of law, if they are not contrary to the basic principles laid down in the Qur'an.

Based on the combination of these principles, foundations, scriptures, acceptable customs, and the firmness and the dominance of reason, Islamic jurisprudence like a deep sea, has expanded and deepened so much that diving in it is not possible for everyone except those equipped with special spiritual qualities and profound intelligence. By an exercise of perceptive intellect and active independent reasoning (*ejtehad-e zendeh*) over the sources, Islamic jurisprudence has been evolving as it should and has gone through modifications.<sup>11</sup> That is why there is no primary or derivative legal principle that has not conformed to the conditions of different times and various areas. Among different clans and nations with very different ideas and habits, Islamic laws have adapted to the conditions and situations to the extent that the people of those areas consider them their own. They believe in their principles and articles, implement them in detail with their hearts and souls, and defend their principles.

The root of the enhancement and formation of modern ideas and principles, in successive centuries, and the existence of differing opinions among jurists over new issues lie in these abundant sources.<sup>12</sup> Stagnation and rigidity, which seem to be the dominant features of Islamic jurisprudence and often make it appear deficient, have resulted from the general stagnation governing the thinking of the Muslims and the Islamic community in recent centuries. That has stagnated Islamic jurisprudence just as it has other intellectual and natural sources of the Muslims. Often it has, like other damaging intellectual deviations and improper exploitation of natural resources, blocked the way for adaptation.

#### NOTES

1. Scholars and researchers of historiography have studied to discover the causes of and the ideas behind the formation of government, the establishment of a civilization and historical



developments. They have presented different views. As the philosophy of history is a recent discipline and is still evolving, it has not reached general, definite, and comprehensive conclusions or theories that could be applied to all aspects, periods, and processes of history. The conclusion reached in this area, as the result of empirical studies, although applicable to some areas, cannot be applied to all of past or future history.

The first person, according to both Western and Eastern scholars, who removed historiography from annals writing and turned to the philosophy of history and the study of the causes of historical events was the Tunisian Maleki Jurist Abu Zayd 'Abd-al-Rahman Muhamad ibn Khaldun (died in 1405 in Cairo). Idn Khaldun in his famous *Maqaddimah* has studied the causes of the genesis and destruction of civilizations and governments. First, he concludes that the most important causes for the emergence of civilization and government are mental, moral, and physical forces, and the decline of a civilization is caused by their deterioration. He maintains that the bedouins and nomads who lived in the harsh and natural conditions of the desert have sound physical and mental abilities. They enjoyed strong tribal and clannish solidarity (*ta'asub*), and were constantly active and vital. On the contrary, the city dwellers, who lived in ease and comfort, gradually lost their physical and mental abilities and hence became vulnerable to decay and destruction. Because of this, civilization and governments have always been founded by tribes or clans.

Some scholars of the philosophy of history pay attention, primarily, to geographical and ecological conditions. They consider them influential upon behavior, customs, and civilizations. Other scholars regard psychological complexes as the central root of behavior, customs, and civilizations. Freud and his followers emphasize psychological impulses, especially the *id*.

The contemporary economists contend that economic means and conditions are the basis of social conditions. Marx and his followers consider the modes and means of production as the sole source and infrastructure of societies and their moral development. They do not, however, have any proof for the singular role that each one of these modes and means plays. Many thinkers have acknowledged the role man plays directly or indirectly in the social process. In fact, Marxists, with their special widespread propaganda, attempt to awaken the common sense of the deprived class and strengthen its will. This practice, contrary to their theoretical claim, shows that class conflict alone cannot be the source of movement and neither is it totally controlled by economic elements.

The Qur'an, more than any book or theory, has paid attention to explaining historical events and the reasons behind the survival and destruction of or the happiness and cruelty among nations and clans. The greatest cause of the survival and destruction of nations and clans or their rise and fall, according to the Qur'an is [the people's] conducts (*bedayat*) and wrongdoings (*zalat*). The former directs the mind to believe in the monotheistic faith, to receive the general laws of creation and existence, and to act properly, justly and charitably; the latter directs the mind to ignore all these. The Qur'an shows how individuals and groups who followed the just and the right path become powerful and received all blessings, while peoples and nations who ignored the calls of the messengers and reformers and continued their errors, despite great varieties of means, power and progress, fell and were destroyed before the general order of life and the just power:

There surely is an oath for thinking man. Dost thou not consider how thy Lord dealt with (the tribe of) A'ad. With many-columned Iram. The like of which was not created in the lands; and with (the tribe of) Thamud, who clove the rocks in the valley. And with Pharaoh, firm of might, who (all) were rebellious (to Allah) in these lands, and multiplied inquiry therein? Therefore, thy Lord poured on them the disaster of His punishment.

(LXXXIX, 5-14)

They were mightier than those in power and (in the) traces (which they left behind them) in the earth.

(XL, 21)

... they dug the earth and built upon it more than these have built."

(XXX, 9)

There exist many verses such as these in the Qur'an.

In the first surah of the Qur'an, which is part of the daily prayers of all Muslims, emphasis is given to "guidance" to people on the straight path, and to those who are subject to God's wrath or misled.

Since the source of righteous or commission of errors lies in conflicting and contradictory thoughts and forces of the submissive and free-willed human being, the basis or foundations of the movement of history is the human being and human powers.

2. As history shows, in India and the Islamic world the spirit of justice and spiritual and human forces dominated; however, people lost social responsibility so that insularity and the abandonment of work and falling productivity (gnosticism and extreme individualism) became dominant. It was then that society stagnated and the people were suppressed.

3. In societies on the verge of destruction, pleasure and hedonism are encouraged more than is necessary and, consequently, the spiritual forces of people diminish. "And when We would destroy a township We send a warning to its people who live at ease, and afterward they commit abominations therein and so the World (of doom) hath effect for it, and We annihilate it completely" (XVII, 16).

4. This verse points to education regarding the Scriptures and the wisdom of reciting the verses of the Qur'an.

5. Repetition of the name "the compassionate and merciful" in the surahs of the Qur'an, before each prayer and with every step the Muslims take, is done to achieve such a result. Repeating phrases and words make one understand their meaning. Gradually they take root in men's nature, and righteous behavior will grow out of that. "A goodly saying, as a goodly tree, its root set firm, its branches reaching into heaven" (XIV: 24).

6. Reference is to the Qur'an. It is believed that the Qur'an is a covenant between man and his creator.

7. *Gharbzadegi* is a term coined by a contemporary Iranian thinker, Ahmad Fardid, and later popularized by Jalal Al-e Ahmad in a polemic essay by the same name. The term literally means "being struck, smitten, incapacitated, stupefied, sabotaged, diseased, infested, and infatuated" by the West. See *Gharbzadegi [Weststruckness]* translated from the Persian by John Green and Ahmad Alizadeh, (Lexington: Mazda Publishers, 1982). (tr)

8. Jean Jacques Rousseau says: "Empty deceptions form but a transient bond; it is only wisdom that makes it lasting. The Jewish law, which still endures, and that of the Child of Ismael, [the Prophet of Islam], which for ten centuries has ruled half the world, still bear witness today to the great men who dictated them." [*The Social Contract and Discourse on the Origin of Inequality*, edited by Lester Crocker, Washington Square Press, 1967, p. 46. —tr]

The firm and sound laws of Europe are, in part, taken from ancient Rome. Rome blossomed only after coming out of seclusion in the third century of the Christian era, and by integrating its old laws with Middle Eastern divine laws. Europe established its civilization the same way. Then, through Spain and the Middle East, adapted the principles of Islamic laws and brought another transformation in civic and social principles.

9. Islamic scholars and researchers have, through precise reasoning, proven the necessity of general prophethood. They explain, in detail, the conditions and the habitual and mental attributes of prophets, especially their attribute of infallibility, in their philosophical and dialectic theological works. In the present work, the necessity for the emergence of prophets, their qualities, and their nature are discussed only in relation to the law.

10. Marx, with his special genius, seems to have been quite aware of the fact that his and other scientific theories and social and economic principles neither establish the desired justice nor

eliminate social classes. That is why he freed himself from that responsibility and left it to historical determinism. However, developments in the methods of production have helped new classes to emerge. From his time no step has been taken toward complete abolition of classes.

11. Shi'as in particular do not follow the legal opinion of a jurist. They believe that the *mojtahed* should be alive and observe the ever-increasing events, problems, and the daily affairs.

12. In Islamic jurisprudence, there have been issues which have been agreed upon by all or most of the jurists, but later disagreement on the same issues have occurred. Except in regard to social problems (according to the opinion of the majority) a *mojtahed* can accept or reject, based on his own independent reasoning, the legal opinion (*fatwa*) of another jurist.

The majority of Islamic scholars consider the injunctions dependent on actual conditions. (The *Ash 'ari 'ulama* are exceptions.) Therefore, a *mojtahed* can give his opinion in a situation, even though it might contradict that of his predecessors or contemporaries.



# V

## The Foundation of Islamic Economics and the Roots of its Injunctions

We have seen that Islam expounds upon the general elements, aims, and results of public and private relations of individuals and society. Also, Islam promulgates principles and injunctions based on these ends and elements. The injunctions and the derivatives from them vary, depending on spiritual, material, individual, and social relations and ends. In this chapter are discussed the principles of ownership and economic relations derived from Islam. The following basic principles are deduced from the verses of the Qur'an and sound traditions. Ownership is relative and limited. Ownership means the authority and power of possession. As human power and authority are limited, no person should consider himself the absolute owner and complete possessor. Absolute power and complete possession belong only to God who has created man and all other creatures and has them constantly in his possession. Man's ownership then is limited to whatever God has wisely willed and to the capacity of his intellect, authority, and freedom granted to him. "Say: O Allah! Owner of Sovereignty! Thou givest sovereignty to whom Thou wilt, and Thou withdrawest Sovereignty from whom Thou wilt" (III: 26). "And Who hath no partner in the Sovereignty" (XVII: 111).

These verses make the believer (the one who confesses the oneness of God) constantly acknowledge that the world, of which he is a part, is always the possession of a victorious power who is just. There are other verses in the munificent Qur'an which explicitly acknowledge that the earth and its resources belong to God. It is He who has made them subservient to man. Man, in this position, is His viceregent (*khalifa*) on earth: "And the earth hath He

appointed for (His) creatures" (LV: 10); "Who hath appointed the earth a resting-place for you" (II: 22); "Allah hath made all that is on the earth subservient unto you" (XXII: 65); "Then We appointed you viceroys on the earth" (X: 14); "He it is Who hath made you regents on the earth" (XXXV: 39). These and other similar verses explain the vicegerency (*khelafat*) of man on earth in order that the vicegerents may follow the command and the will of the Owner.

"And spend of that whereof He hath made you trustees" (LVII: 7); "And bestow upon them of the wealth of Allah which He hath bestowed upon you" (XXIV: 33); "And We help you with wealth and sons" (LXXI: 12); "Think they that in the wealth and sons wherewith We provide them" (XXIII: 55); "And ye have left behind you all that We bestowed upon you" (VI: 94). These verses explicitly point out that the absolute owner is God alone. It is He who has, within the capacities of His vicegerent granted (gifted) the right of ownership, helped (power to continue life) and extended the right of transfer (transferring the right of possession). Furthermore, the Qur'an explicitly designates ownership of the earth as that of God. "And Allah's earth is spacious" (XXXIX: 10); "So let her feed on Allah's earth" (VII: 73 and XI: 64).

Based on this principle (relative and limited ownership) which is derived from the Qur'anic text, man is neither the absolute owner nor the total possessor of the earth and its resources. He does not have the right to possess as much as he desires or to obtain material wealth in any way he may choose. Indeed, the earth's wealth belongs to God and man is His vicegerent and servant. Indeed, because vicegerency belongs to all people, each individual is a guardian of the public trust. And his ownership should be limited for the public welfare. Ownership, in this analogy, is limited, borrowed, conditional, and entrusted. (Contrary to this view is absolute, free, complete, and unconditional ownership. Under such a view ownership spreads deep roots in the minds of owners and becomes an idol to the extent that wealth and economic relations are considered the foundations and the bases of all spiritual and social affairs.) From this basic principle of limited and relative private ownership, the following basic injunctions about the desire for ownership are deduced:

1. Land and natural resources are not the particular property of anyone (neither individual nor society). Only the guardian of the Muslims (Imam and *vali-e amr* [the people of authority]) committed to public welfare has supervision over the earth and its resources (reflecting the principle of permissibility and nonpermissibility of private ownership except in special conditions and situations).

2. People have special and limited rights to possession of land and natural resources as long as they put them to fruitful and productive use. They also have special and limited ownership over production and goods.

3. Islamic jurisprudence provides specific definitions and conditions for

formalizing ownership and the activities leading to it.

4. Individuals and special groups must not have possession or title over natural resources (*anfāl* and *fay*). Furthermore, no one should be stopped from utilizing them by imposition of special conditions.

5. Money and currencies, which are means of exchange and a standard of value, must not be accumulated by a selected few individuals. When such a thing happens these individuals become powerful, and the necessary resources and means of life are concentrated in their hands; the normal and just conditions of work and distribution become disrupted.

6. In accordance with Islamic principles and injunctions, when a person's liquid assets and wealth reach a certain level or increase within a certain time they are subject to direct and fixed taxes (*zakaṭ* and *khoms*).

7. Based on the principle of public welfare, the Islamic guardian (Imam, men of authority or deputies) has the right to possess wealth and levy tax (*kharaj*) on the lands and natural resources.

8. Profits and wealth earned by illegal means (usury, gambling, and lottery) or wealth obtained from the transaction of harmful goods do not constitute ownership.

9. Children and insane persons have no right to possess their own wealth.

10. Islam forbids expenditures which are useless and harmful to individuals and to society; this serves to stop the amassing of unlimited and illegal wealth.

These are the general injunctions and basic principles of Islam on ownership and economic relations. They are explained in detail and properly documented. The sources and the standard of these injunctions, in addition to the aforementioned sources, are found in the Qur'an, the *sunnat*, reason (*ʿaql*) and custom (*ʿurf*). Some examples are "And consume not wastefully your property among yourselves (*binakum*) in vanity" (II: 188); "That it become not a commodity between the rich among you" (LIX: 7); "Give not unto the foolish (what is in) your (keeping of their) wealth which Allah had given you to maintain" (IV:5); "fulfill your undertakings." (V: 1); "There is neither damage nor compulsion (*la zarar*) in Islam" (the Prophetic tradition);<sup>2</sup> "Necessity removes the objective observance of caution" (either a tradition or a rational or customary principle); "Ignoring the small and particular harm in order to avoid a major and a general one" (rational or customary principles); and "The believers honor their contracts unless they follow what is forbidden (*haram*) and forbid what is allowed (*halal*)" (tradition).

The collection of the principal injunctions, legal and intellectual principles, and their derivatives will become the actual economic and financial contracts based on faith and executive powers.

This summarizes the foundations of the injunctions and the principal injunctions in Islam about ownership and economic relations. Based on these foundations, injunctions, and general and particular rules which conform to



the intrinsic nature of man and of reality, men are free and independent. They are not limited to, and their rights are not suspended with respect to, expression of talents and of physical and spiritual gifts which are stimulated by material needs and desires. However, this freedom, in particular for gaining and using wealth, is limited by special injunctions and principles of public welfare, so that neither centralization of wealth nor subjugation occurs nor a ruling and privileged class emerges.

The ideas of absolute, free ownership (capitalism) and its rival, the absolute negation of private ownership (collectivism and socialism), are the special products of the century of abrupt industrial development and the areas in which they occurred. Whenever one of these two types of uncompromising and different economic systems dominates, the other one is rejected. One has to submit to all the provisions and effects of the accepted system. Free ownership causes subjugation, tyranny, centralization of wealth, emergence of privileged capitalists, and the deprivation of workers. The negation of private ownership limits individual freedom and, in turn, requires the dictatorship of a special class. Therefore, one has to consent to the provisions of the regime whether they allow private ownership and prescribe its provisions or they accept public or governmental ownership. Because they are products of special and opposite times and places, these two opposing ideas have not materialized anywhere completely. (In the capitalist countries resources and industries have been gradually nationalized and in communist areas private ownership over land and small factories is recognized.) In fact, the theories presented a century ago to solve industrial problems—caused by the means of production, in light of progress and the development of other social principles, rapid developments in technology, a decrease in the number of workers, and an increase in production—have not and could not predict the final solution.

### ECONOMIC PROBLEMS REVOLVE AROUND THREE ISSUES IRRESPECTIVE OF TIME AND PLACE

The first issue is the desire for and the relations of ownership over land and natural resources which satisfy the basic needs of life. (Industry, goods, and technological production belong to the later phase of man's quest for making natural resources evermore available.)<sup>3</sup> The second is securing human freedom and independence, a natural human tendency. This freedom pertains to both social and economic conditions. The third issue relates to the universal and everlasting problem of currency circulation and prohibiting the emergence of economic power based on it. The complexity and disorderliness in capitalist environments are caused by these three basic problems. If the foundation of free transactions, the utilization of natural resources, and the currency—as means of exchange—are based on their original principles, rights, and justice, the problems of industrial goods, their production, and their distribution can be solv-

ed by solutions formulated in accordance with those principles.

Islam emphasizes a just and natural solution to these three issues, so that the members of society can benefit from mental gifts and natural resources and continue to have access to land resources and the necessities of life as long as they are not violating the rights of others. They can own and enjoy the results of their labor within useful, legal, intellectual, creative, and physical actions, as long as the money does not become the means of attracting wealth, of subjugation, and of power.

There are special texts (*nosus*) which serve as the basis for derivative injunctions and for applying jurisprudence to this topic, in addition to the aforementioned legal injunctions (*osul-e ahkam*) and the principle governing injunctions (*ahkam-e osuli*).

### ISLAMIC JURISPRUDENCE DIVIDES LANDS INTO TWO CATEGORIES

The first category refers to cultivated land and the other refers to unrevitalized land (*mavat*). The *mavat* lands are those which have not been cultivated. (Most land is of this type.) No ownership, possession, buying, selling, or transference is allowed of these lands. These lands, particularly those close to habitable places, have potential and real value for cultivation. Therefore, they should have an owner. As they should be possessed and supervised by an owner who utilizes them justly and for the public welfare, according to Islamic jurisprudence neither people nor governments own these lands. They belong to God and then his representative (The Prophet and the Imam).

The divine representative perceives these lands in the same light as God sees them. With the Imam's permission (if an imam is present; otherwise the permission of the general deputies is sufficient) and provided the land is cultivated (revitalized), limited right of ownership for the cultivator remains.<sup>4</sup> The same injunction applies to other uncultivated lands such as peaks of mountains, valleys, pastures, forests, and natural cane-breaks. Cultivated lands left to lie fallow and lands preserved by the rulers for themselves or given to others as *eqta* and areas (cultivated or uncultivated) taken by Muslims through peaceful means or as a result of terminating a war are treated like *mavat* lands or lands that are naturally green and prosperous.

The basis of this injunction, in addition to the *sunnat* and *badith*, is the verse of *anfal* [booty]<sup>5</sup>:

They ask thee (O Muhammad) of the spoils of war. Say: The spoils of war belong to Allah, and the messenger, so keep your duty to Allah, and adjust the matter of your difference, and obey Allah and His messenger if ye are (true) believers.

(VIII: 1)



Other than that verse, the basis of this injunction is the sound (*mo'tabar*) *hadith* reported from the exalted messenger and the infallible Imams (peace be upon them). The following are some examples: "Lo the Muslim, whoever cultivates an uncultivated land which is not claimed by another Muslim, has right over it: the land is his. Whoever builds a wall around a piece of land, it is his. The common lands (unpossessed in the past) belong to God and his messenger and due to Me they can be yours. The uncultivated lands are God's, mine, and then yours" (Prophetic tradition).

Muhammad ibn Hassan ['Ali Tusi]<sup>9</sup> documents his work by a report from Hossein ibn Sa'id who reports from Safran who reports from 'Ala and who reports from Muhammad ibn Muslim who had asked the honorable Imam Ja'far Sadeq, peace be upon him, about transactions with the Jews and Christians. He answered: "There is no legal objection." He added: "Every nation that cultivates a piece of land or initiates activity (or performs some task on it) has the right over it. It becomes theirs."<sup>7</sup>

## GENERAL VIEWS OF ISLAM REGARDING CULTIVATED LANDS

From a general view of Islam regarding idle lands and adjacent areas such as forests, pastures, groves, coastal regions, and seas (if they are possessed to be cultivated), Islamic views on cultivated lands will become clear. Because cultivation alone causes right to ownership, such a right is limited to the length and duration of cultivation. Therefore, there is no right of ownership for anyone beyond the boundaries of the cultivated areas. If the cultivator does not cultivate the land or loses interest in cultivation, his ownership terminates. There are sound traditions from the infallible imams, peace be upon them, to support this principle. For example:

Muhammad ibn Ya'qub al-Kulayni<sup>8</sup> reports from some companion of the imams, who reports from Mu'awiya ibn Wahab, who has heard Imam Hossein [the third Shi'a imam] say: "Every man who changes the condition of a ruined and abandoned land — cultivates and dredges its irrigation channels — will own it. If another person who previously owned that land abandons it, he loses his right of ownership. If he reclaims the land he should know that the land belongs to God and he who cultivates."

It has been reported in *Tabzib*<sup>9</sup> that Sahl ibn Ziyad reports from Hayyan ibn al-Salat (or in another case from Riyan), who reports from Yunis, who reports from 'Abd Salih [Imam Musa]<sup>10</sup>: "Indeed land belongs to the Glorious and Dignified God Who has made it the sustenance of His creatures. Therefore, anyone who leaves the land unutilized for three consecutive years loses his right of ownership and it will be transferred to someone else's possession. If anyone has a right over a piece of land but has not claimed it for ten years, he will no longer have the right over it."<sup>11</sup>



In closing, there is yet another *hadith* [tradition] with regard to this subject which leaves the judicial decisions and inferred injunctions based on this tradition to scholars and independent jurists.

Hisham ibn Salim reports from Abi Khalid Kabuli, who reports Imam Baqer [the fifth Shi'a Imam], peace be upon him, as saying: "I have found in a written document by Imam 'Ali, peace be upon him, that land belongs to God Who will grant it to anyone He desires. In the end He will choose those who are the most pious. God has bestowed the land upon me and my household, because we are pious people. Hence the land totally belongs to us. Therefore, every Muslim who revitalizes the land should continue to do so and pay taxes to an Imam who is a member of my household. Whatever he consumes and the benefits he draws will be his. Thus, if the cultivator abandons the land and lets it go to waste and another Muslim cultivates and fixes it after him, the latter will have a right over the former. The new owner should also pay taxes to an Imam who is a member of my household. Whatever he consumes will be his. This injunction is valid and permanent until the Mahdi, who is a member of my household, appears with the power of the sword. It is he who will take over the entire land, end improper possession, and drive out the usurpers (just as the Messenger of God, peace be upon him, who took over the lands and stopped improper possession) but he will not take over the land which is in the possession of our followers and which the Imam will allow them to hold in contract."

These traditions explicitly show that lands in their natural form belong to God, His messenger, and his vicegerents. Private ownership only exists within limits and is dependent on the duration of cultivation. Once cultivation ceases, private ownership is terminated.

The precious and useable parts of cultivated lands in the past (in feudal times) were in the hands of the rulers, their subordinates, and their families in the form of *eqta'*. As has been discussed, these lands, are part of *ansfal* and should be treated accordingly. According to Islamic jurisprudence, lands conquered through nonpeaceful means by Muslims are not subject to private ownership. (To free land from private ownership is one of the purposes and consequences of the Islamic holy wars, *jihad*). These types of lands are known as *fay'* and not *ansfal*. *Fay'* which literally means "return", is used in the Qur'anic exegesis to mean wealth and properties removed totally from private ownership and turned into public wealth. No form of ownership, possession, transfer, or exchange of lands is allowed, except for barren lands which are cultivated later. A portion of their profits or value, taken as tax, should be spent on public welfare.

The Qur'anic basis for this injunction concerning *fay'* lands is the following verse: "That which Allah giveth as spoil unto His messenger from the peo-

ple of the township, it is for Allah and His messenger and for the near of kin and the orphans and the needy and the wayfarer, that it become not a commodity between the rich among you. And whatsoever the messenger giveth you, take it. And whatsoever he forbideth, abstain (from it). And keep your duty to Allah. Lo! Allah is stern in reprisal" (LIX: 7)<sup>12</sup>.

Based on these injunctions and principles derived from the Qur'an and the *sunnat*, the condition of land and the manner of its possession are clarified in present Muslim countries and in those yet to adhere to Islam. These lands were neither unrevitalized lands, which later were cultivated by Muslim cultivators and farmers, or lands which once belonged to the feudal kings in the form of *eqta'*. The former should remain the property of the cultivator within the boundaries and the duration of cultivation, and the latter should be distributed among Muslims with the condition that they continue with cultivation (these are two examples of *anfal* type lands). There are also those lands whose owners have either migrated or which have been acquired by peaceful means by the Imam or the Islamic guardian. These are *fay'* and should be utilized for the public welfare under the supervision and control of the Imam. Only lands acquired through conquest are subject to tax (*kharaj*) to be spent for public welfare, and no one is allowed to possess them.<sup>13</sup>

In summary, with respect to possession Islam distinguishes between three types of lands:

1. *Anfal* — these are lands which originally belong to all Muslims. With general or special permission of the Imam (the infallible or just guardian) and for the purpose of cultivation, they are granted to the cultivator.
2. *Fay'* — these are lands which belong to the Imam and are under his possession. They are utilized either for his private affairs or for public welfare.
3. Lands over which there is no private ownership, e.g., conquered lands, should be distributed among Muslims and the local inhabitants under the supervision of the guardian.

Natural resources and mines are dealt with according to the rules that apply to the land where they are found. Everyone is entitled to exploit them in uncultivated areas according to need. In cultivated lands, the cultivator has the right over the natural resources and the minerals. Mines that are not easily accessible belong to the miner who has expended his efforts and labor to exploit them (in Islamic countries, however, the miner must be a Muslim). Some jurists consider mines in any form as *anfal*, hence subject to rules concerning *anfal* lands.

In conclusion, from the Islamic view point the situation of ownership of lands and natural resources and the manner in which they are possessed are varied and evolving. The variation in the types of ownership depends upon the condition and history of the land and how each area was conquered or became possessed by Muslims and fell under the control and supervision of Islamic leadership, i.e., Prophecy, Imamate, guardianship, just caliphate. Government

in its conventional meaning does not exist in Islam; rather according to division of land, conditions of those who work on it, and the public's interest a tax (*kharaj*) is collected from the land.

During the time of the exalted prophet of Islam, Muhammad, concomitant with social and spiritual changes, economic conditions, in general, and the conditions of lands and the desire of ownership, in particular, also underwent change. According to the books of tradition and history, e.g., those by Abi Khalid Kabuli, such changes took place in Yathreb [present day Medina] and its surrounding areas and around the Arabian Peninsula during the time of the Prophet. During the rule of the caliphs and until the rule of 'Uthman, the injunctions and traditions of the exalted Prophet were applied to areas where the inhabitants had converted to Islam, or where Muslims had gained control. In cultivated and green lands near the seat of the Caliphate and on more fertile lands (e.g., the territory comprising present day Iraq which was then known as "the black territory" because of its greenery and vegetation) these injunctions were applied more accurately to the division, demarcation, and taxation of lands. The authorities in charge of distribution, demarcation, and tax collection were either trustees of the public treasury or were selected from among special agents and trustees who were experts in their field. Once they had surveyed the lands they distributed them according to the condition of the land and the ability of the cultivators. The trustees either determined a small share of the revenues for the government or levied a tax. Most of this revenue was spent locally for administration and development of the area. In distributing and defining the limit on each tract of land, the ability to cultivate was the important determinant, not whether the cultivator was a Muslim or non-Muslim.<sup>14</sup>

Deviation from this and other revolutionary principles of Islam began when the defeated and humiliated aristocrats of the Quraysh and the Umayyeds gained influence and flourished during 'Uthman's rule. They divided some lands in Egypt, Iraq, Syria, certain areas around the Arabian Peninsula, and other developed Islamic countries among themselves in the form of *eqta* rather than trusteeship. Under the banner of the guardianship of Islam they dominated the lives and wealth of the inhabitants, depriving them of liberty. They levied heavy taxes on these lands for personal consumption and for amassing wealth, and imposed a feudal order benefiting themselves and their relatives.

#### THE SITUATION OF PROPERTY OWNERSHIP AND *EQTA* [FEUDALISM] IN ISLAMIC COUNTRIES

The caliphate of Imam 'Ali, peace be upon him, began with war and bloodshed as a result of the peoples' uprising against 'Uthman. The govern-



ment of 'Ali was, in fact, a revolution against the feudals and oppressive landlords.<sup>15</sup>

After receiving allegiance and establishing himself as the Caliph, Imam 'Ali's first policy was to confiscate the lands which were in the feudal possession of 'Uthman's agents and followers. He dismissed the previous administrators and distributed the lands among those who worked on them. He levied a tax on *anfal* and *fay* lands. History has clearly recorded his sermons and letters to his governors and agents.

Despite all the deviations and law-breaking which took place and the caliphs and un-rightful and un-Islamic governments which came to dominate the people in the name of Islam, halting and abandoning the social, political, and economic principles and injunctions of Islam following the Divine and rightful caliphate of Imam 'Ali, the situation pertaining to the possession and ownership of land in most Islamic countries was not nearly as oppressive and unbridled as in other countries, particularly those in the Occident. Muslim landowners never had absolute control over the peasants. Neither were the governments formed by them. After the first Caliphate (632 to 661), Islamic governments generally established themselves through inheritance or revolution under religious slogans and pretexts. Deceiving people by these pretexts, they maintained themselves in power by plundering the public wealth, and then making generous gifts and donations. In Islamic countries, peasants and farmers were not deprived of their freedom — with a few exceptions — because Islamic laws and moral constraints in some form were observed. The governments were obliged to observe these laws. Unlike European feudalism, in Islamic countries infringement upon the rights of the peasants was not only illegal but constituted a breach of law. Based on the standards of Islamic law, the peasants were not obligated to work; they could choose to be wage earners or to migrate to another area. Adjudication and governance were not in the hands of the landlords. However, violations and infringement on the part of the landlords always occurred either because of the special conditions of the area (being distant from the Islamic legal domain) or with the backing of a few governments and officials. Obviously, these exceptional situations should not be seen as representative of Islamic principles and order.

The impact of Islamic teaching and principles in history becomes clear only when Islamic injunctions on land ownership and the rights of peasants are compared with those of non-Islamic countries in past centuries. The extent of the influence of economic situations on social changes becomes clear as well. In the entire history of the Islamic countries, of the revolutions which have taken place and the governments that have risen and fallen, none have been brought about by peasant uprisings. In the history of Islam, no case can be found where the peasants were under duress and encroachment to the point where they would prepare to revolt, unlike in the Western countries. Nor were the peasants killed in groups by governments and landlords. The landlords never bought

and sold peasants, and the Islamic governments could never support the oppressive landlords legally and officially.

After the martyrdom of Imam 'Ali, Mu'awiya changed the form of the Islamic caliphate to a tyrannical and authoritarian monarchy. Regulations and practices pertaining to public properties and wealth and Islāmic principles deviated from the true Islamic system. In some countries part of the lands became (*toyul*) [feudally possessed] of kings and their lackies. In order to silence and eliminate heirs of the message of Islam [the imams] and their followers, to expand the means of propaganda, conquest, and plunder, and to establish the glory of their court, the new rulers were in need of unlimited wealth. Therefore, they plundered the newly converted Muslims as much as they could, took over their lands and pastures, and levied unbearable taxes on lands and even individuals. From the time when *velayat* and Islamic government and, consequently, economic and social principles and injunctions of Islam were eliminated from active life, diverted from their revolutionary course, and buried in the pages, *toyuldari* [feudal possession]<sup>10</sup> over public lands (*anfal* and *fay'*) became prevalent among rulers and their lackies. Since *toyuldari*, like the system of private ownership, was totally alien to Islam and had no permanent and lasting root, with the downfall of each dynasty the land would automatically be divided or the system of *toyuldari* would also fall apart and the land would be redistributed. If *toyuldari* has endured in Islamic history, it is only in recent centuries before collectivism and its stronghold emerged. *Toyuldari* coincided with the period when colonialism took root in Islamic countries. Muslims became weststruck (*gharbzadeh*)<sup>11</sup> and Islamic ideological and legal principles weakened or died among the Muslim people. Islamic states and governments found support outside of their own borders, violated Muslim rights and laws as much as they could, and undermined Muslim independence, identity, and economy.

### THE CUSTOM OF RELIGIOUS ENDOWMENTS

To endow lands and their attachments is a custom highly encouraged by Islamic governments, both verbally and in practice. Endowment (*vagf*) means to freeze the right of ownership over a property and to use its revenues for charity and general Islamic welfare (*habs-e 'eyn*) and (*tasbil-e manfe'at*). Consequently, property is withdrawn from individual or government ownership, and its revenues are spent for public use or for the needy in accordance with the donor's wish and public welfare. Endowment properties are protected from control by the rulers or the feudals.

The tradition of endowment in Islam began with Imam 'Ali.<sup>12</sup> Afterwards, the nobility, imams, and other Muslims have followed this tradition. As a result, a sizeable portion of the cultivated land in Islamic countries has become endowed and has escaped private ownership.



## NOTES

1. The word "*binakum*" [among yourselves] and the repetition of the pronoun "*kum*" [yourselves] seems to point out that wealth belongs to all, so that everyone can, in his own right and need, have access to it.

2. The distinction between the principles of *la zarar* and *la zarar* will be discussed later.

3. Land and natural resources and their products are the source of human life and sustenance, i.e., water, air, food, and shelter. A natural and just solution to land ownership, and the utilization and distribution of it as endowments everywhere are permanent keys for solving other economic problems. The sudden emergence of advanced and powerful capitalism is largely the result and continuation of unlimited ownership of land and wealth by pirates as a result of plunder of people and farmers of faraway lands. After the emergence of industries, the easiest way to exploit, maintain, and supervise this wealth was through these very same industries.

Thus, the capital was invested in these areas which attracted peasants to the cities. This in itself created social and economic crises and gained the attention of the theoreticians. It is easy to understand the problems of industrial capitalism and to find solutions such as nationalization of industries or increasing the wages. It is easier to implement such policies in urban areas and the seat of authority than to find solutions to the distribution of land and natural resources.

4. The limits of revitalization which is the source of ownership is determined by '*urf*' [customs]. But the right of possession begins with *tahjir*. As the meaning of the word *tahjir* implies, the purpose is to build a 'stone fence' or a 'wall' or similar things. Muslim jurists, however, consider *tahjir* as clearing rocks off the land, leveling the ground, building water canals, pulling out weeds, and irrigation. They do not believe that *tahjir* should lead to ownership aside from determining the right of priority. (In these discussions, because the aim is to explain the general views of Islamic jurisprudence it is not necessary to mention various *fatwas* [legal opinions] of the jurists. Where there is a disagreement, one must refer to the opinions of a living and qualified jurist.)

5. *Anfal* (the plural of *nafl*) means 'added on', 'gifts' and 'spoils'. Perhaps because these types of land are either more than what people need or are gifts and/or acquired in Islamic warfare *jihad*, they are known as *anfal*.

6. The reporter is better known as Shaykh Tusi (d. 385/1067). He was one of the three prominent compilers of the Shi'a traditions. The other two are Abu Ja'far Mohammad ibn Ya'qub al Kulyani (d. 329/940) and Abu Ja'far Mohammad ibn 'Ali ibn Husayn (ibn Babuya, d. 381/991). The four Shi'a compilations of traditions are: (1) *Usul al-Kafi*, by Al Kulyani; (2) *Faqih man la Yahdur al Faqih*, by ibn Babuya; (3) *Tahzib al-Ahkam*, by Shaykh Tusi and (4) *Esteb-sar*, also by Shaykh Tusi. Later on, others also compiled collections of traditions. The following three are among the better known and more frequently cited: (1) *Vafi*, by Mohammad ibn Murtada (Mulla Muhsin Fayd Kashani, d. 1091); (2) *Behar al-Anwar*, by Mulla Muhammad Baqer Majlesi (d. 1111/1699); and (3) *Vasa'il al-Shi'a*, by Muhammad ibn Hassan ibn 'Ali Mashghari (Shaykh hor 'Amoli, 1033?/1720). (tr)

7. The phrase "has the right over it" in this tradition and in the previous one suggests that the ownership of the cultivator is not permanent and absolute. Therefore, if land is left idle, the right of ownership is nullified.

8. See note 6 above.

9. Ibid.

10. The Shi'as were the opposing revolutionary minorities in this period. To protect the



Imam's life, his name was not mentioned openly. He was referred to as 'Abd Salih (the righteous and competent servant of God). (tr)

11. This tradition is taken from *Jame 'al-Akbar* by Seyyed Majd ibn Hashim Bahrani. He reports it from *Tahzib* on the authority of Sheikh Tusi. In *Wafi* instead of "sustenance for His creatures", "endowment to the servant" is reported. There are other traditions conveying similar ideas.

12. This verse, the one preceding it, and the following three propose the injunctions pertaining to lands whose owners have embraced Islam without any resistance. They also explain the way in which the revenue should be spent. The phrase, "become not a commodity between the rich among you", in the middle of the verse points to the basic and final message of the verse. With regard to its comprehensiveness and foundation, this example is as valid as the principles expressed in "fulfill your undertaking" (V: 1), and "Allah permiteth trading" (II: 275), upon which the jurists base their derivative rulings.

13. The difference between "conquered" lands and lands "acquired through peaceful means" is that the former cannot not be bought or sold. Only the Imam has the right to supervise their utilization. The latter belongs to the Imam or the Islamic guardian.

Records show that most of the Iranian lands were conquered territories. *The History of Islamic Conquest* states about the province of Rey [present day Tehran]: "Na'im ibn Moghren, the commander of the army of Islam, marched toward Rey in 23 A.H. (643 A.D.). The governor of Rey assembled a massive army from among the people of Damavand and Mazandaran, the neighboring provinces. A battle broke out near Rey. One of the Iranian commanders allowed the Muslim army to enter the gates he was to defend. A group of hand-picked cavalymen attacked the rear of the Iranian army while shouting 'God is great'. The Iranian army dispersed and the province of Rey fell."

Most major Iranian cities and provinces fell into Muslim hands. The oppressed people of Iran, hoping for Islamic justice, guided and helped the Muslim army.

14. In his charter to Malek Ash'ar regarding land revenue, Imam 'Ali, peace be upon him, said: "So far as the collection of land revenues and taxes are concerned you must always keep in view the welfare of taxpayers, which is of primary importance, more than the taxes themselves. Because taxes and taxpayers are the original source for the welfare of your state and its subject." Later, he continues: "More importance should be attached to the fertility of land than to the collection of taxes, because the actual taxable capacity of people rests upon the fertility of the land," (*Nahjul Balagha*, p. 253).

15. A part of Imam 'Ali's sayings concerning his return of 'Uthman's *egta* lands to Muslims, is: "By God, if I had found that public money had been squandered in celebrating marriages and in purchasing slave girls, I would have taken it back and would have handed it over to the country, because the functions and responsibilities of justice and equity are far-reaching and far-extending. One who does not holdly act according to the dictates of justice and fair play will feel very nervous in facing tyranny and oppression." (*Nahjul Balagha*, p. 16).

Interpreters of *Nahjul Balagha* have quoted the following sermon from Kalbi who, relying on documents from Abi Salih who, in turn, had quoted Ibn Abbas that, "On the second day after the oath of allegiance to the exalted Imam 'Ali by the people, he delivered a sermon saying: 'Beware that each piece of land that 'Uthman has granted as *egta*' and the wealth he has gifted is void and should be returned to the public treasury. I swear to God that no right can be voided by the passage of time'."

Every sentence in this sermon, which he delivered at the beginning of his caliphate and in which he proclaimed the basic program of his government, heralds a basic truth that needs to be discussed and interpreted at appropriate places. The most significant and important point in this

short sermon is his elaboration of the stability and sovereignty of the rights of the people. This sovereignty is inalienable and indestructible, even if it has been violated to acquire slaves or celebrate marriages or has been ignored for a long time. It has priority over any kind of possession, even if it has been violated over time.

16. Translation of *toyuldari* as feudalism poses conceptual difficulties. The translators' usage follows that of the author's who, on several occasions, has referred to it as such in the Persian text. For an account of land systems in Iran and *toyuldari*, see Ann K.S. Lambton, *Landlord and Peasants in Persia* (London: Oxford University Press, 1953; reprinted ed., 1969). (α)

17. See chapter IV, note 7.

18. In reputed books of traditions it has been reported from Safvan, who reports from Bajli: "Imam Musa ibn Ja'far [the seventh Shi'a Imam], peace be upon him, sent me Imam 'Ali's last will and testament. The Imam had listed all lands His Holiness had acquired, either by *anfāl* or cultivation, and then had endowed the lands of *Yan*, *Vadi al-Qora*, *Adhina*, and *Qasira*. He had designated guardians for them and specified their use. He had freed all slaves or required that they be set free. Among other things, he wanted the revenues from these lands to be spent on freeing slaves. Some of His Holiness' companions endorsed the document. The will concludes with the following phrase: 'This will was written by 'Ali ibn Abi Talib on Jamadi al-Awwal, 37 A.H.' The will has been prepared during his Holiness' rule, three years before his martyrdom."

One of His Holiness' freed slaves and workers has said: "His Holiness came for a visit to the farm where I was working. He asked for some food. From the produce of the farm I prepared cooked squash for him. He finished his food, washed his hands with water and sand, then said, 'May God disgrace him who would fill his belly free thereby preparing the fire of hell for himself.' He inquired about irrigation water, then took a pick from me and went digging inside the water canal where the water had ceased to flow. He dug so hard that when he returned he was tired and perspiring. Again he returned to the canal and continued digging so hard that his panting could be heard. Suddenly the rocks and mud were removed and water sprang out like blood flowing from the neck of a slaughtered camel. He hurried out and, with perspiration pouring down his face, said 'It is God's grace! It is God's grace!'

At once he asked for pen and paper and wrote: "This is the deed of endowment of 'Ali, the commander of the faithful and the servant of God. I endow this spring and the spring of Baghibaghat for the poor people of Medina. This is not to be sold, transferred, or bequeathed until God, the inheritor of heaven and earth, takes possession of it. However, if my children Hassan and Hossein are ever in need the revenue would belong to them.'"

With his unique farsightedness, the commander of the faithful, peace be upon him, saw the deviation from Islamic principles and sensed that the infringement upon the rights of the people that began with the Umayyads during 'Uthman's rule would continue after him. The Umayyad rulers, their lackies, and their followers plundered the land and natural resources like they did other spiritual and material wealth. This would deprive the Muslims in general and the people of Medina in particular of their livelihood and wealth: (Bani Umayyah and the Meccan idolatrous aristocrats submitted to Islam after Islam had been established in Medina with the help of the sword of the Median crusaders.) This is probably the reason Imam 'Ali endowed these lands in Medina to stop the plunderers from taking possession and making these lands a source of livelihood for the poor. The endowments, however, like other wealth, were not immune from plunder by the tyrants and their lackies.

# VI

## The Economic Problems Caused by Money

Next to the desire for ownership of land and other natural resources, the subject of money, its desirability, and its manner of circulation in the economy is another overall difficult economic issue. As needs grew and production increased, money was utilized to facilitate exchange, to measure the value of different objects, and to determine a common measure of values. These were the original reasons for using money. Subsequently, as money became a means of collecting valuable and needed objects and for satisfying lust and power, it became desirable for itself and gained the special attention of the greedy. It not only became an instrument of power, but also, for some, the goal of their lives.

Before the use of money, only goods considered necessary were used in transactions by both sides. Anyone who produced something would exchange the surplus with another goods after personal needs had been satisfied. The exchange, therefore, was limited, and the distribution took place automatically on the basis of fairness and need. The hoarding and concentration of wealth would never take root, because hoarding the surplus products in excess of needs which would expose them to waste and required additional effort to store them, was not profitable. In an exchange involving money, such difficulties do not arise. A person with money buys goods from others at a cheap price and, through successive hoardings and unrestricted exchanges, he collects more and more money and uses it to collect even more money. Having obtained such a source of power, the greedy people were able to change the direction of the markets of public's livelihood goods from their natural and ordinary course to carry out exchange based on greed and artificial supply and demand.



The use of money does not end here. Once money, the original function of which was to be a measure of value and a standard of value among various objects, and be like blood flowing freely in the economic veins of society, became desired as an end in itself; the lust for it took root in the hearts of those who had no firm faith or aspiration for justice and charity. Therefore, the greedy people used extraordinary methods to attract and collect money, the most damaging and riveting method being usury. Through usury the power associated with wealth and the public economy concentrated in the hands of usurers, the true values of objects were ignored, and the balance between supply and demand and the relationship between production and distribution were completely disrupted.

The greedy people, with the poison of money through usury, extracted the economic blood from the body of the producing classes, which are the active and progressive organs of society, and injected it into their fat bodies, which are the parasites of society. God only knows the consequences of this disproportional situation, and history has shown its adverse effects. Just as unlimited ownership of land and natural resources promotes *toyuldari* [feudalism], the disproportionate system of capitalism has been brought about by usury. In different economic conditions, these two systems (*toyuldari* and capitalism) either have come about simultaneously, or one has caused the other.<sup>1</sup>

Before people became skilled in the use of money and usury became a common practice, hoarding of essential goods was limited because trade was based on bartering. Only those with production in excess of their needs could hoard goods for a limited time. Because they needed other types of goods; they had to sell the hoarded goods which had not yet been spoiled. After profiteers acquired the skill to use money they were able to meet their own needs as well as to purchase cheaply goods from others in excess of their needs. They were able to hoard goods for a longer period of time in order to sell them at higher prices. The fear that the hoarded goods may spoil and lead to a loss of principal capital (which prior to that was the goods alone) no longer existed because capital was transformed into money, (i.e., fixed capital relative to goods), and the owner of money was, in accordance with the condition of the available goods, able to sell his goods at a lower profit, even lower than the prevailing prices, in order to buy other goods that were more appropriate for hoarding and would bring more profit in the future.

With all the complications, disorders, and injustices that usury and the concentration of money have brought about everywhere, it can accurately be said that they are the foundation and root of all or most social and economic problems. The benevolent reformers, theoreticians, and secular legislators in ancient and modern times have not paid sufficient attention to these issues.

Since money and usury have become prevalent we have known of no restriction (except occasionally and at limited times) placed on usury. In major countries, such as Rome and Greece, in past centuries, the practice of usury had

reached a point where the debtor (even, at times, his wife and children), unable to pay the loan and compound interest, would become the property of the lender. In the face of such crimes governments and laws were either silent or gave their stamp of approval. It reached a point where unprotected people, tired of the situation, engaged in bloody revolutions in Greece and Rome. As a result, laws pertaining to limiting usury were legislated and the oppressive practice of owning the debtor was revoked. (The revocation of that practice and the formulation of the law limiting usury are credited to Solon [638-558 B.C.], a Greek sage and lawmaker).

Religious laws and divine creeds have decisively prohibited usury prior to customary laws. The Torah explicitly forbids usury on several occasions, though regretfully, prohibition of usury in the Torah is restricted to the Jewish nation. Indeed, the Torah has prescribed usury toward others (except toward the children of Israel).<sup>2</sup>

In the Bible (contrary to the Torah) the exalted Jesus has recommended lending money to others, even enemies, without demanding any interest.<sup>3</sup> Following the propagation of the call of Christ in the West and the establishment of churches, the church leaders proclaimed Christ's pronouncement and sermon to mean prohibition of usury. The severe restriction of usury by the church reached a point where the usurer and any one considering it lawful were deemed irreligious and infidels. Some Christians considered a usurer so abject and filthy that they would not shroud and bury his body. Following the church's strict prohibition of usury, the civil and customary laws of Europe followed the church's example in 789 A.D. and, subsequently, in all the Christian countries of the Middle Ages, usury was formally banned. In 1593, transactions involving usury where the capital and wealth of the poor were concerned was legally permitted. Later, this practice extended to wealthy people as well until kings, major capitalists, and even some heads of the church, e.g., Pope Pius IX (1792-1878 A.D.) in 1860, violated in practice the laws of prohibition of usury. However, its prohibition had not been revoked formally. At the end of the Middle Ages and the beginning of the European Renaissance, objections were expressed against the legal prohibition of usury.

After the French Revolution in October 1789, which indeed was a revolution against all religious and customary privileges, the National Convention<sup>4</sup>, in one of its resolutions, totally abolished the prohibition law and allowed usury within the confines of a special legislation. This official and legal permission opened the way to usury in Europe. The usurious trades of the beginning of the Industrial Revolution and the money which was pouring into Europe from various channels and other countries created the base for such a capitalist system and class differences that had been unprecedented in the history of nations.

In summary, this was the principle of usury in the laws of the Torah, the New Testament, the customary European laws, and the way in which that prin-

ciple has evolved. We do not have sufficient information about usury in religious and customary laws of other ancient nations. One can guess that no religious law (other than the Torah regarding non-Jews) has permitted usury officially or legally. It is certain, however, that wherever production has been limited and money available, usury has prevailed. For this reason, usurious transactions have always been more common in cities than in villages, where means of production, livelihood, and transactions are based on barter.

There were no religious prohibition of usury in the Arabian Peninsula before Islam, and there were no laws regarding usury either. Following the migration of certain Jewish tribes to Yathrib [present day Medina] and other parts of the Arabian Peninsula, and once trade became common in Mecca and other cities, people gained access to money and the Arab capitalists learned usury from the Jews, who had special skills in amassing wealth through usury.<sup>5</sup> Many credit-worthy persons would borrow money with low interest rates from the Jews and other capitalists and lend it to others with multiple interest, even sometimes at several times the principal.

### ISLAM AND THE PROHIBITION OF USURY

Considering the spread of usury as well as the power which the capitalist usurers had in the Arabian Peninsula, particularly in Mecca and Yathrib (the birthplaces of Islam), a complete and absolute prohibition of usurious trades (similar to the abrogation of absolute ownership) was one of the greatest achievements of the unique intellectual, social, and economic revolution that Islam represented. An examination of the verses of the Qur'an on usury shows that its prohibition was not abrupt and sudden. The definite prohibition of usury, similar to other injunctions which opposed the deeply rooted habits and customs [of the Arabs] in those days came only after Islam mentally prepared the people and warned them against its damaging and harmful effects. It was the same with the absolute prohibition of wine drinking.

First, while condemning usury among the Jews, Islam warns Muslims against the repugnant practice (IV: 161).<sup>6</sup> Next, while addressing the faithful, Islam explicitly prohibits, warns, and threatens against compound usury (interest charged on the principal and interest): "O ye who believe! Devour not usury, doubling and quadrupling (the sum lent). Observe [ataqu] your duty to Allah, that ye may be successful. And ward [ataqu] off (from yourselves) the fire prepared for disbelievers" (III: 130-131).<sup>7</sup> Lastly, in various verses, through examples, threats, and promises, the Qur'an issues a decisive decree prohibiting various kinds of usury and usurious capital:

Those who swallow usury cannot rise up, save as he ariseth whom the devil hath prostrated by (his) touch. That is because they say: Trade is just like usury; whereas Allah permitteth trading and forbiddeth usury. He



unto whom an admonition from his Lord cometh, and (he) refraineth (in obedience thereto), he shall keep (the profits of) that which is past, and his affair (henceforth) is with Allah. As for him who returneth (to usury), such are rightful owners of the fire. They will abide therein. Allah hath blighted usury and made almsgiving fruitful. Allah loveth not the impious and guilty.<sup>8</sup>

(II: 275-276)

Through clear examples, the first verse illustrates the mental and emotional conditions of the usurer, as well as the conditions of communities whose economies are based on usury. These [usurers] are like people possessed by demons (insane) who are unable to depend upon their own wisdom and will. Their disturbed and unbalanced actions and behavior are the result of their considering usury the same as contracts or other trades and transactions.<sup>9</sup> Although selling and other forms of exchange that benefit partners are legal in Islam, usury is not. The verse concludes with a declaration of forgiveness for the usurer's past actions and a promise of hell for future involvement in usurious transactions.

The second verse predicts the final outcome of usury, which leads to deficiencies, darkness, and annihilation, whereas charity brings increase and growth. The usurer misuses his blessings and material and spiritual wealth and that of others. He commits the filthiest sin. The love of God and the people die within persons who practice unbelief and ingratitude in return for the blessings they have received: "Allah loveth not the impious and guilty" (II: 276).<sup>10</sup>

Verses that conclude the injunctions concerning usury and the abolition of all usurious interest, originating from the time of the pagans, follows these two verses and also the verse that promises reward for belief, good works, the establishment of worship, and the distribution of alms:

O ye who believe! Observe your duty to Allah, and give up what remaineth (due to you) from usury, if ye are (in truth) believers. And if ye do not, then be warned of war (against you) from Allah and His messenger. And if ye repent, then ye have your principal (without interest). Wrong not, and ye shall not be wronged.

(II: 278-279)

These two verses appeal to the faith and piety dormant in capitalists to give up their usurious profits. The Qur'an begins this economic revolution with an intellectual and spiritual revolution free of imposition or violence. Accordingly, if the capitalists do not comply with that appeal, then they should be ready for bloody war and revolution. (By "war" in the above verse the Qur'an means an activity different from other types of Islamic wars and revolutions.) It is a war [designated] by God and his messenger for the defense of truth and justice and as assistance to the poor and the needy. This war must continue until the usurers give up their practices and repent. If they repent, their principal should be returned to them. They should be permitted neither to commit op-

pression nor to suffer because of it.

The return of the principal is, however, conditional to the borrower's ability to pay; otherwise he should be given an extension until he is able to do so: "And if the debtor is in straitened circumstances, then (let there be) postponement to (the time of) ease; and that ye remit the debt, as almsgiving would be better for you if ye did but know" (II: 280). But there is more gain and benevolence if the lender gives up the principal also and considers it almsgiving.

A close examination of these verses shows the Qur'anic method of solving social and spiritual ills: how to gradually uproot the sickness of usury in society by warning the people against its harms and familiarizing them with its ills without imposing or instigating any social canker. It declares war against those who continue usury. The Qur'an has not treated any other prohibited or reprehensible act as effectively as usury.

### DISTINGUISHING USURY

What is explicitly and definitely understood from the verses is the prohibition of usury and the emphasis on its prevention. What does the Qur'an mean by "usury," and how is it distinguished from other sound and lawful transactions? The intention of the Qur'an can be understood and the usurious transactions distinguished from the nonusurious ones by three methods: first, by understanding the meaning of the word "usury" (*reba*); second, by understanding the nature of usurious transactions at the time and milieu in which the Qur'an was transmitted; and third, by understanding *sunnat*, the collection of words and deeds of the Prophet and those of the infallible Imams. In their decisions about these types of injunctions, the jurists (*fuqaha*) follow the same method.

The word *reba* (usury) [in Arabic] means to grow or to inflate. In its connotation as transaction, it refers to those transactions in which capital automatically increases without any productive labor. Because usurious transactions at the dawn of Islam were strictly in the form of money lending, it is assumed that the prohibition of usury only applies to revenue gained through money lending. The traditionalists of Islam who were also the interpreters of the Qur'an extended the prohibition of usury to some other transactions. Examples of such transactions are those in which a certain amount of a specific, measurable commodity is loaned to be returned with an additional amount.<sup>11</sup> Therefore, usury in Islam is not limited to lending, which is the exchange of money with interest. To limit usury (unlimited interest without productive labor) the traditionalists of Islam have prohibited any prepaid (*salafi*) transaction, either of money or of goods. They have (as a precautionary measure) also prohibited credit transactions of any two asymmetrical commodities.<sup>12</sup>

### ISLAM PROHIBITS COLLECTING AND STORING GOLD AND SILVER

Just as the Qur'an has prohibited usury—the collection of interest without labor causing centralization of wealth and taking money out of proper economic channels — it has prohibited the collection and storage of gold and silver in any form. Because of their clarity and comprehensiveness the following verses need no interpretation:

O ye who believe! Lo! Many of the (Jewish) rabbis and the (Christian) monks devour the wealth of mankind wantonly and debar (men) from the way of Allah. They who hoard up gold and silver and spend it not in the way of Allah, unto them give tidings (O Muhammad) of a painful doom. On the day when it will (all) be heated in the fire of hell, and their foreheads and the flanks and their backs will be branded therewith (and it will be said unto them): Here is that which ye hoarded for yourselves. Now taste of what ye used to hoard.

(IX: 34-35)<sup>13</sup>

In interpreting this verse 'Ali ibn Ibrahim Qumi<sup>14</sup> reports a tradition from exalted Baqer [The fifth Imam], peace be upon him, who has said that God has forbidden treasuring (amassing and collecting) gold and silver. He has commanded, however, that they should be spent in the path of God.

It has been reported from the commander of the faithful, Imam 'Ali, peace be upon him, that to save more than four thousand dirhems, whether or not the tax has been paid on it, is considered treasuring. Less than that amount is expenditure.

'Ayyashi<sup>15</sup> reports that when the exalted Baqer was asked about this verse he replied that treasuring means storing more than two thousand dirhems.

The difference in the amount stems from the condition of life and the public economy [of the different periods]. Indeed, whatever is needed for sustenance is expenditure, and whatever is stored for the sake of amassing and treasuring is forbidden based on this verse.

The *Surah Al-Humazah* [The Traducer] with its short, strict, frightening, and reflective verses, has explained the moral and social effects and consequences of amassing wealth:

Woe unto every slandering traducer, who hath gathered wealth (of this world) and arranged it. He thinketh that his wealth will render him immortal. Nay, but verily he will be flung to the Consuming One. Ah, what will convey unto thee what the Consuming One is!<sup>16</sup>

(CIV: 1-5)

Based on these verses, no one can doubt that the most dangerous and hated deed is the amassing of wealth, particularly gold and silver. All the leaders of Islam shared this view. The amassing of wealth among Muslims gained currency only after Muslims deviated from the principles of Islamic teaching. In Islamic



books and the Islamic leader's collections of the traditions, the dangers of amassing wealth have been emphasized more than any other.

It is reported in *al-Khasal*<sup>17</sup> that the exalted Prophet, peace be upon him, said: "the dinars and dirhems of your ancestors destroyed them and will destroy you." In *Majma' al-Bayan*<sup>18</sup> it has been reported by the Messenger of God, peace be upon him, that "When this verse 'They who hoard up gold and silver. . .' (IX: 34) descended, the Prophet said three times 'May gold and silver disappear!' This phrase offended his companions. 'Umar asked: 'What forms of wealth should we obtain for ourselves?' He answered: 'Obtain a praising tongue, a thankful heart, and a faithful and religiously supportive wife'."

It is reported in *Kafi*<sup>19</sup> that "It was asked from the exalted Imam Sadeq, peace be upon him: 'How much of wealth needs to be taxed (*zakat*)?' He said: 'Do you mean internal (voluntary) and external (official) tax (*zakat*)?' He replied: 'Both.' The Imam continued: 'The external tax (*zakat*) applies to each thousand (currency and gold) at the rate of twenty-five. The internal tax is that you should not keep for yourself when your Muslim brother is in need of it. God has granted you wealth to spend in the manner he has commanded. He has not given it for you to collect for yourself'."

Abazar Ghaffari [Arabic: Aba Dhar] based his opposition to usurers of the Quraysh and the Arab plunderers who violated the lives and the property of Muslims in the guise of Islam on this verse "They who hoard up gold and silver. . ." Abazar, a great companion [of the Prophet] who had learned the teachings of Islam by heart, would remind people of the truth and aims of Islam in the streets, bazaars, mosques, and large cities. He would repeat this and similar verses and the traditions of the exalted Prophet. Occasionally, around and inside the glorious castles of the Umayyad governors, he would sing this verse loudly and passionately. One day after his exile from Kufa to Sham [today's Syria] and then to Medina, and before his exile to Rabdha, he arrived at the court of 'Uthman. Sufferings and tortures had affected this weak old man so badly that he could not stand on his feet. 'Uthman did not permit him to sit. While leaning on his staff Abazar saw a heap of money in front of 'Uthman, while the latter's companions were staring at it like vultures.

Abazar: "What is this wealth?"

'Uthman: "It is one-hundred thousand dirhems sent from some of the provinces. I am expecting it to be doubled before I decide what to do with it."

Abazar: "One-hundred thousand more dirhems or four dinars?"

'Uthman: "Obviously, one-hundred thousand dirhems."

Abazar: "Do you remember the night you and I went before the Prophet of God? He was so sad and depressed that he did not notice us. When on the next day we went into his presence we found him happy. When we asked him about the cause of his sadness of the night before and the happiness of that day, he said: 'I had not distributed four dinars of the public money (*fay*). I was afraid that I might die before distributing it. Now that I have distributed it

(and gave it to the needy). I am at peace'."

'Uthman turned to Ka'b al-Akhbar<sup>20</sup> who was sitting next to him and said: "Oh Aba Ishaq, what is your opinion about the person who has paid all his taxes? Does he owe anything more?"

Ka'b: "No. After paying taxes, such a person owes nothing even if he accumulates bars of gold and silver."

Abazar suddenly struck Ka'b's head with his staff and said: "Oh, Son of a heathen Jewish woman! What right do you have to comment on the laws of the Muslims. Are not the words of the exalted God 'Those who hoard up gold and silver. . . ' more righteous than yours?

Provoked by anger 'Uthman said: "Oh, Abazar! You have grown old and senile and lost your mind. If you were not a companion of the Prophet I would have killed you immediately."

Abazar: "Oh 'Uthman! you are lying. Woe to you! My friend the messenger of God told me, 'Oh Abazar! They will deceive you but they will not kill you.' I have enough brains left to remind you of a tradition of the messenger of God about you and your clan."

'Uthman: "What have you heard from the messenger of God about me and my clan?"

Abazar: "Well, I heard him say: 'When the family of Abi al-'as increases to thirty they will pass around God's wealth among each other. They will make the religion of God a means of treachery and corruption and will turn God's slaves [people] into their *own* slaves and servants. They make war on decent people and form a party of criminals'."

'Uthman [facing the audience]: "Oh, the companions of Muhammad, peace be upon him! Have any of you heard this tradition of the messenger of God?"

'Uthman's associates: "No, we have not heard this tradition from the messenger of God."

'Uthman: "Call 'Ali."

The commander of the faithful 'Ali, arrived.

'Uthman: "Oh father of Hassan! Listen to what this old liar has to say."

'Ali: "Oh, 'Uthman, do not call him a liar! I myself heard the messenger of God say: 'The blue sky and the green earth has not seen a more truthful person than Abazar'."

The companions of the Prophet who were present said: "'Ali speaks the truth. We heard the messenger of God say this."

Abazar (crying): "Woe to all of you who are attracted to wealth! Think that I make false allegations about the Prophet. (Then turning his eyes to them) Who is the most righteous among you?"

'Uthman's associates: "You claim you are."

Abazar: "Yes. My teacher, the messenger of God, died in this very garb I have on now. You have established heresies (*bed'at*) and God will hold you ac-



countable for them."

'Uthman: "Oh, Abazar! Swear by the Prophet of God and tell me the truth about whatever I am going to ask you."

Abazar: "Even if you do not make me take an oath I will tell the truth."

'Uthman: "Where among all places do you like to reside the most?"

Abazar: "I prefer Mecca, the house of God and the birthplace of his messenger, where I can pray until my death."

'Uthman: "No, I will not honor this wish. Where do you prefer to reside the least?"

Abazar: "Rabdha where I lived before I converted to Islam."<sup>21</sup>

'Uthman: "Leave and go there!"<sup>22</sup>

Abazar, one of the early converts and a chosen companion of the Prophet, had the following understanding of the verse "Those who hoard up gold and silver. . ."<sup>23</sup> He firmly believed that a Muslim had no right to amass wealth beyond his needs. In his opinion, if wealth, generally measured in gold and silver, increases beyond the needs it is considered amassment (the word *kinz* [in Arabic] means to save beyond one's need). He considered the traditions of the Prophet and his other close companions as a confirmation of the spirit of the Qur'an. Others such as 'Ammar, Yasir, Meqdad and Salman Farsi — who considered 'Ali as the perfect living symbol of Islam and the guardian of Muslims—were in agreement with Abazar. They would use whatever earnings they had from the public treasury or from other sources to gratify their basic needs and distribute the surplus among needy Muslims. Sometimes they would save enough to cover their households' annual expenses. The caliphs who ruled before the reign of 'Uthman also followed this custom.

The outcast Arabs who were unfamiliar with the spirit and the teaching of Islam came to power during the reign of 'Uthman. Because of their customary desire for wealth, they ignored the traditions of the forefathers [of Islam]. They misinterpreted the verses of the Qur'an to the point where even Ka'b al-Akhbar, the newly converted Jew, could formally issue a *fatwa* [legal opinion] that a Muslim who has paid his due taxes, the *zakat*, could accumulate bars of gold and silver!

Abazar and his peers tried to change the situation to conform to the Qur'an and traditions. They tried to persuade 'Uthman to distribute the public treasury equally among Muslims, regardless of race and class, and to prevent accumulation of wealth. They were voicing the truth because the verses of the Qur'an had penetrated into their hearts and souls and they had understood the true spirit of Islam.

Ka'b al-Akhbar and those like him were proclaiming their own view of truth also. Their understanding of Islam supported the interests of the rich and the powerful! The poor caliph ['Uthman] perplexed by these two opposing views had no opinion of his own. In the end he succumbed to the second group and lost his life for it leaving the Islamic world in the midst of chaos and tur-



bulence. Even today Muslims are confused between the rulings of the Qur'an and the opinions of the followers of Ka'b al-Akhbar. It is not surprising that some interpreters like Qartabi have misinterpreted this Qur'anic verse [to reflect their own views]. He says, "This revealed verse concerns the poor Muslim of the dawn of Islam." Does this view truly interpret the verse? Has the Qur'an been revealed only for a particular time and a group, to be abrogated once everyone has become self-sufficient? It is as though they neither consider the Qur'an for the whole world nor the Prophet "the blessing of both worlds" (XXII: 107). Did not the same poor Muslims lose their faith as their wealth increased? Did not large numbers of Muslims around the [Arabian] Peninsula live in extreme poverty while others were becoming rich?

### LAWFUL AND LIMITED TRADE

Trade is indeed a medium between production and distribution. A merchant acts as an intermediary in getting the manufactured goods to the consumer. Therefore, trade is one feature of a developed economy and it signifies the level of economic growth of societies. No one disputes the necessity of trade in the economic cycle of a society. The debate and opinions which have been expressed on the subject in this century are mostly about whether trade should be free, as it was in the past, or should it be limited to and monopolized by the government. These two different views, like those regarding the desire for ownership, clash with each other. The first view concerns freedom, the special feature of private ownership, which according to the collectivists is the source of oppressive capitalism. Although all collectivists (socialists) unanimously reject private ownership and free trade, they do not agree on the State monopolization of every form of trade. Only the communists consider production and distribution to be the monopoly of the State.

As the history of man and the experiences of the capitalist countries demonstrate, there is no doubt that unrestricted and free trade, like unrestricted ownership, creates opposing classes. Moreover, it causes deprivation of the majority and leads to transgression and unrestricted capitalism. Considering the sinister effects of free trade and unrestrained ownership, is the State's monopoly of the means of production and distribution the final solution? Does it increase economic development? Does it promote public welfare and satisfaction and bring about just distribution?

Once the State has monopolized production and distribution, its bureaucracy has to grow accordingly. Maintenance and administration require heavy budgets and the livelihood and comfort of many bureaucrats and supervisors have to be provided for. That will attract most all able people to become part of the State. Consequently, no class or nation will require a government.

The State becomes a class in and of itself, comprised of bureaucratic and

military classes, industrial managers and laborers, and distribution officers whose livelihood and comfort have to be provided for. Since wages and salaries of these officials are secured, there is no incentive on their part to look for customers and search for local and international markets. Except in situations where the consumer *has* to purchase goods, an active market will not develop for manufactured commodities. Consequently, both the ability to produce and increase productive capacity diminish. As government cannot generate enough revenue to sustain itself, it has no choice but to constantly increase prices in order to finance its deficit. This in turn means heavy and indirect taxes imposed upon the consumers. It is obvious that changing people's occupations and transferring them [to different places] do not alter their senses and instincts; man is still the same and his instincts are the same also. The result of these changes is to deprive them of their ability and to establish a powerful, undisputed governmental capitalism that sells good at any price without competition, depending upon conditions of war or peace and domestic and foreign policies. The end results of governmental monopoly are mismanagement, lack of supervision, growth of black markets, or inflated government supervisory and policy apparatus.

Furthermore, considering that nothing is more desirable to man than freedom, it should not be restricted unless it violates the rights of others. To deprive man of his freedom and rights in any form constitutes such an injustice that it cannot be overlooked, whether it is done by a certain class or by the State. Human talents and potentials, the most valuable natural resources, burgeon only in a free intellectual atmosphere and in actual practice. That is why freedom is the first principle of the Divine creation, enunciated in the calls of the prophets and the Bill of Rights. No one's freedom of action and work should be violated as long as it is exercised within the boundaries of the law. Those economists and theoreticians who consider man solely an economic entity ignore this basic and fundamental principle.

By forbidding private ownership of public and natural resources, prohibiting usury and gathering treasures (based on the Qur'an), and establishing and specifying conditions and limits for sellers and buyers, prices and goods, Islamic jurisprudence has allowed trade within limits of the law. It has forbidden monopoly over production and distribution by a particular group of the State, except when public welfare or special circumstances warrant. The general standards for trade and financial rules are explained in the following verse:

O ye who believe! Squander not your wealth among yourselves in vanity, except it be a trade by mutual consent, and kill not one another. Lo! Allah is ever Merciful unto you.<sup>24</sup>

(IV: 29)

By pointing out the original conditions of wealth, this verse prohibits any futile forms of ownership and possession and allows trade with mutual consent.

The notion of sharing one's surplus wealth "among yourselves" is to remind people of the original and natural condition of wealth. Wealth, whether originating from natural resources or manufactured goods, belongs to all people and should be available to all.<sup>25</sup> Improper and futile forms of private ownership and individual possessions are not permitted in Islam. The right of ownership is confirmed only when useful and rational possession takes place. To conclude, right of possession and ownership is limited to useful utilization of wealth. But according to the verse cited above, trade by mutual consent is considered an exception, because, although trade has no direct and lasting effect on the value of products, the merchant makes the useful and valuable products accessible to the consumer. He profits from this activity and there is no fixed limit on the level of his profit. Trade, in general, is useful and necessary for the economy, people's livelihood, and for division of labor.

The conditions imposed upon traders, prices, goods, and the closing of deals in Islam, mostly or entirely are derived from this verse. Nonuseful trades, i.e., usury, gambling, lotteries, trades harmful to individuals or society, trade based on direct and indirect coercion, and trade of risky commodities, are prohibited in Islam. Trade by mutual consent means a trade in which both sides are aware of and understand thoroughly the conditions of price and goods. Although no transaction can be completed without implicit mutual consent, there should be a clause in the contract to specify the mutual consent of the parties. In other words, no direct or indirect coercion should be exercised. The phrases "your wealth" and "among yourselves" in the verse refer to public and social consent. Any transaction or trade which harms society, lacks public consent, or is suspect in the eyes of the investors is unlawful.

"And kill not one another," seems to point to the ultimate result of squandering and unjust possession, because deprivation, class conflict, war, and massacre which occur in society are clear consequences of squandering wealth and harmful or coercive transactions. In another verse the effect of squandering is explained differently:

And eat not up your property among yourselves in vanity, nor seek by it to gain the hearing of the judges that ye may knowingly devour a portion of the property of others wrongfully.<sup>26</sup>

(II: 188)

The statement and purpose of this verse can be understood as follows: Squandering of wealth that originally belongs to everyone is unjust and unnatural. This can continue only by force and pressure brought upon the deprived class. Therefore, parasites secure the support of the ruling class and satisfy their greed by giving them some of their wealth. The alliance between the squandering parasites and the ruling class creates a single class aligned against the people. Two classes line up against each other, and the government that is created to administer, supervise affairs, and reconcile differences becomes the



oppressor and the ally of the plunderers. The reality that the Qur'an points out is that the basis of a class-conscious government whose aims are amassing wealth and establish capitalism rests on unjust possessions and squandering of wealth. In the economic relations of a society possession and ownership are legitimate. If transactions and trade operate on that basis, capitalism and social conflict cannot take root. Islamic jurisprudence clarifies the limits of ownership rights in terms of prices, commodities, buyers, sellers, and principles and limits of transactions. Financial transactions are allowed as long as those regulations are observed. The general view of Islam is that freedom should be respected within the framework of laws. Laws, of course, are for everyone to observe and are not the means of securing the rights of certain individuals and groups at the expense of others.

After expounding the rights and duties of individuals and groups, Islam makes it primarily an individual's responsibility to observe these rights out of faith. Then it entrusts the responsibility to the *hakem* and the government; Islam requires the supervision of government in every matter.

The commander of the faithful Imam 'Ali, peace be upon him, in a decree to the Governor of Egypt (Malek Ashtar-e Nakha'i) states the following regarding merchants and craftsmen:

I want to advise you about your businessmen and industrialists. Treat them well, and order your officers to follow the same policy. Whether they be local businessmen carrying on their trade locally, merchants who ply their trade from one place to another, importers and exporters of goods, industrialists and manufacturers, industrial labor, or handicraftsmen, they all deserve sympathy, protection and good treatment. They all are sources of wealth to the country. They provide consumers with goods. Most traders carry and convey these goods across deserts, seas, and over open lands and mountains; their consignments are brought from distant lands, often from places which are not easy to approach and where people usually do not care to or do not dare go. These businessmen are usually peace-loving people, not given to mischief, disturbance, and sedition. You must look after their interest and must protect them whether they are trading in your cities or towns or travelling over countries conveying goods from place to place.

One more thing about these traders and industrialists. While treating them most sympathetically you must also keep an eye on their activities. You know they are usually stingy, intensely self-centered, and selfish, suffering from obsession of grasping and accumulating wealth. They often hoard their goods to get more profit by creating scarcity and black market. Such a condition is extremely injurious to the public on the one hand and demeaning to the ruler on the other.

You must put a stop to all such practices because the Holy prophet

(may the peace of God be upon him and his descendants) has explicitly prohibited such practices. Remember that trade should go on between the purchasers and suppliers according to correct measures and weights and on such reasonable terms that neither consumers nor suppliers incur losses. But if traders and industrialists carry on hoarding and dealing in blackmarket despite the facilities and good treatment meted out to them, then you must punish them according to the seriousness of their crime.

(*Nabjul Balagha*, Letter 53, p. 255)

This important and firm Islamic decree authorizes occasional interference by upright governments and rulers in the financial affairs of the community. It particularly emphasizes that government should prevent hoarding and that it should control and determine prices.

Apart from the specific injunction derived from the Qur'an, the right of interference by a just Islamic ruler in trade and financial affairs can also be justified by rational and customary principle known as *la-zarar*. This principle recognizes the right of possession, ownership, and transaction so far as they do not undermine public welfare, or harm the individual and society. In case ownership and possession are harmful to the individual or society punishment must ensue, to be decided by the general customary laws (*'urf*).<sup>27</sup>

Based on this and other principles (i.e., the principle of the Islamic ruler's ownership over public resources and the principle of guardianship or *velayat* of the just Islamic ruler) the ruler has the right of possession over public resources. He also can take over private wealth if public welfare warrants. If the prescribed and designated taxes and duties are deemed insufficient for public welfare, he is authorized to institute other taxes and duties. Obeying the Islamic ruler who, by virtue of special conditions, directly or indirectly, is designated as the guardian of affairs (*vali-e amr*) is a legal obligation. His power to possess exceeds the individual's right of ownership as well as the right given to an elected official. The authority of the Islamic ruler and Islamic government, however, does not exceed the laws or the principles of public welfare, because the right of ownership is also natural and intrinsic within the framework of laws whose outcome is the right to possess and distribute. Disruptions in distribution are the result of unlimited, unrestricted, and uncontrolled ownership. Therefore, distribution in the Islamic view is the owner's right. Why should legal and limited profit-making exclude this natural right? Only unlimited profiteering and ownership cause maldistribution, which in turn invalidates the real owner's right of ownership and possession. Can the nature of ownership and maldistribution, existent in absolute capitalism, be an excuse for invalidation of the ownership and the rights of the real and legal owner (however one defines this right)? If the right to exploit and acquire fruits of one's labor is confirmed for freely created individuals, the right of possession and distribution is a natural extension of that right; just as it is unnatural for capitalists to take over the individual's goods, it is unjust and unnatural for the State to take over the right

of distribution and thereby negate general freedom. The right to freedom means the individual's right to possess his goods acquired through labor. According to Islam monopolistic control of production and distribution by a group or a special class, whether capitalists or the ruling class, is unlawful and unjust. Such controls should be allowed only within limits that ensure public welfare and only if they prevent penetration by special groups and monopolists.

Considering the limits (*hudud*) that alongside human freedom Islam places on private ownership, conditions of transaction, trade and the exclusion of certain commodities from transaction, oppressive and ungraceful capitalism has no chance to grow. To preserve complete cooperation and proper distribution and to meet public demand, Islam has instituted various types of taxes, e.g., direct taxes, obligatory [for Muslims]. Depending on the nature of the wealth and the owners' condition, each of the following taxes has a special designation and its own rationale. Some of them are fixed such as *zakat* (alms), and *khoms* (one-fifth); some are variable such as *kharaj* (land tax), *jezya* (minority tax) and *kafarat* (penance tax).

*Zakat*: it is a fixed tax applied to productive capital and cash and is used for special purposes. *Zakat* is levied on agricultural products, domesticated animals, cash and precious metals (money, gold, and silver).<sup>28</sup> *Zakat-e Fetr* is another form of *zakat* which is incumbent upon every individual Muslim on the annual feast of *Fetr*.<sup>29</sup> Its amount and conditions are explained in detail in the books of jurisprudence.

*Khoms*: It is a tax amounting to one-fifth levied on gains, e.g., the annual net profit obtained from any business, discovered treasures, ocean diving, explored mines, and the unclaimed wealth of an unknown owner.

Among the sources of revenue these two taxes are general and permanent.<sup>30</sup>

*Kharaj*: It is the amount of tax taken from the produce of the land or the value of the land itself. This tax applies to taxable lands (*anfal* and *fay*). Its amount is determined by the Islamic government with the consent of workers, farmers, and landowners, and in conformity with public welfare. This tax should first be spent to revitalize lands and to improve the conditions of the farmers. The most comprehensive Islamic document regard *kharaj*, the significance of the work performed by farmers in the community, and their rights in Islam are outlined in the decree of the commander of the faithful Imam 'Ali, peace be upon him, to Malek-e Ashtar, when the latter was appointed the governor of Egypt. The following are some excerpts from that decree:

So far as collection of revenues and taxes is concerned you must always keep in view the welfare of the taxpayers, which is of greater importance than the taxes themselves. Taxes and taxpayers are the original source on which the welfare of your state and its subjects depend; a State really lives upon the revenues collected from the taxpayers. Therefore more importance should be attached to the fertility of land than to the



collection of taxes because actual taxable capacity of people rests upon the fertility of the land. A ruler who does not pay attention to the prosperity of his subjects and fertility of the land but concentrates only on collection of revenue, lays waste the land, ruins the State and brings destruction to creatures of God; his rule cannot last long.

If the taxpayers complain to you about heavy taxation, of any accidental calamity, vagaries of the monsoon, scarcity, lack means of irrigation, floods or destruction of their crops on account of excessive rainfall, and if their complaints are true then reduce their taxes. This reduction should be such that it provides them opportunities to improve their condition and ease their circumstances. Decrease in State income due to such reasons should not depress you, because the best investment for a ruler is to help his subjects at the time of their difficulties. They are the real wealth of a country and any investment in them even in the form of reduction of taxes, will be returned to the State in the shape of the prosperity of its cities and improvement of the country at large. At the same time you will be in a position to command and secure their love, respect, and praises along with revenues. . . .

Remember, Malik, if a country is prosperous and if its people are well to do then it will happily and willingly bear any burden. The poverty of people is the actual cause of the devastation and ruination of a country, and the main cause of the poverty of people is the desire of its ruler and officers to amass wealth and possessions whether by fair or foul means. They are afraid of losing their posts or positions and sway or rule, and want to make the most during the shortest time at their disposal. They never learn any lesson from history of nations and never pay any attention to the orders of God.

(*Nahjul Balagha*, Letter #53, pp. 253-54)

As the following charter shows, on the basis of land reform and the distribution of other natural endowments (as was shown earlier in discussion of land ownership and its sources) Imam 'Ali, peace be upon him, has stated several basic and important economic and social matters:

1. Lands and public resources distributed by a just Islamic government to agents according to need and ability should be utilized for public welfare;
2. Before they initiate *kharaj* (land tax), governors and persons in charge should try to improve the welfare of the taxpayers;
3. Producers of wealth make up society. Unless their welfare is secured society will not prosper;
4. The revitalization of land always ought to be given priority over *kharaj*;
5. *Kharaj* without revitalization destroys the country and brings about the [economic] downfall of its people;

6. Once the *kharaj* has been imposed, if the peasants and farmers complain of heavy burden or are in need of assistance for the improvement of land and/or other reasons, they should be granted a reduction in the amount of the *kharaj* to help them improve conditions;
7. Reduction of taxes on land and its produce would eliminate the distinction between government and the people, and it would enhance the popularity of an Islamic ruler. It would help improve society and stabilize government;
8. Justice for producers translates into an enormous source of spiritual power and support for government. In time of crisis, this power is stronger and far more reliable than any other material powers; in such circumstances every hardship and imposition is bearable;
9. Poverty, destruction, and lack of means of production among producers result in destruction of land;
10. [If there is] poverty and destitution among producers it is because they think of their rulers as a class, interested only in exploiting the people and amassing wealth, and they do not feel secure about their own life and prosperity.

It should be noted that this decree (which truly is a spring of light in dark centuries) was issued when the world was engulfed in the darkness of injustice and oppression of the peasant and producing classes. That slaves and serfs were the only sources of revitalization was true the world over. Not only had they no rights over their own labor, they had no rights over their own families. All they had were hunger, whipping, and black death.<sup>31</sup>

The commander of the faithful Imam Ali's fifty-first letter was a circular to all tax collectors. In that letter, after the usual advice and eloquent guidance, he states:

Treat the taxpayers equitably and justly and think over their wishes with patience and kindness, because you are the taxpayer's paid treasurer, representative of the people, and the officer acting on behalf of higher authority. Do not force anybody to forsake his requirements and do without his necessities (so that he may pay his taxes). In collection of taxes and revenues do not sell their winter and summer clothing, their slaves or such of their animals as are of service to them; do not resort to whipping; do not touch their property, be they Muslims or non-Muslims; but if you find armaments or weapons among non-Muslims or their horses which can be used in war against the State you may confiscate them.

(*Nahjul Balagha*, Letter #512, p. 246)

Being a land tax, *kharaj* is collected from both Muslims and non-Muslims based on the requirements of public welfare and exercise of proper judgement.

*Jezya*: It is the only tax required of non-Muslims who live under the jurisdiction of Islamic laws. It is levied specifically on People of the Book, those

who adhere to a Divine religion and believe in His prophets. Property and family of the People of the Book are secured and protected in Islam, provided they pay *jezya*, respect Islamic laws, support Muslims, and do not spy for the enemies of Muslims. They have equal rights and duties with other Muslims. No witness or proof is necessary for one to be recognized as a member of the People of the Book. The mere claim by the person is enough unless proven otherwise. According to the predominant view, women, disabled people, and juveniles are exempt from paying this tax.

The Imam or the just ruler will determine the amount of the *jezya* based on the ability of the eligible person to pay and the requirement of public welfare. Although a *zemmi* (person obligated to pay the *jezya*), whether residing inside and Islamic country or outside, enjoys the same gifts and protections as a Muslim does, he pays less tax than a Muslim pays in various forms (*zakat*, *khoms*, and *kafarat*).

*Kafarat*: In Islamic jurisprudence, *kafarat* is the tax paid in order to redress the effects of certain sinful acts, e.g., financial reparation for committing murder, breaking of an obligatory fast, a promise, an oath, or a vow. These are discussed in detail in books of jurisprudence.

If an Islamic government, in its proper meaning, ever came to existence, it would be responsible to collect and spend these taxes. During the time of the early caliphs, particularly the government of the commander of the faithful Imam 'Ali, peace be upon him, tax collectors were selected from among pious and qualified people. Consequently, they enjoyed the respect of all the people. Moreover, they did not collect revenues beyond what was obligatory. The most important and interesting aspect of Islamic regulations [pertaining to tax collection] is that the amount of the tax is left to the discretion of the people. They must pay whatever they feel they are obligated to in accordance with the dictates of Islamic faith and duty.

An example of this unique method of collecting taxes is shown in Imam 'Ali's twenty-fifth letter sent as a circular to all tax collectors. A portion of the text of Imam's letter to the revenue collectors is as follows:<sup>32</sup>

Do not give up fearing God who has no coworker and partner. Do not let Muslims grieve and lament [over their lot of having you as their ruler] and do not approach them in a way as to make your approach hateful to them. Do not tax them more than what is actually due by them to God.

When you reach a group of people (tribe or village to assess and tax them, stay only at their watering place (a well or water hole is the most convenient place to stay in desert regions) and do not stay in their houses. Then go to them maintaining your dignity and prestige and when you reach among them wish them peace and blessing of God and show due respect to them. Tell them that the Caliph of God has sent you to collect from them the dues of God. Ask them whether they possess enough means to pay dues to God that you may gather them and pass them on to



his Caliph. If somebody tells you that he does not have enough wealth to pay taxes do not worry him and accept his plea. If any one tells you that he is in a position to pay at the poor rate follow him to his house, field, or pasture (because poor rate was then collected in coins as well as in kind). But do not frighten him or make him nervous and do not behave with undue harshness or tyranny. Then accept the gold or silver which he offers. [From here on the text consist of instructions how to arrive at the number of cattle to be assessed for *zakat*). If he has cows, bulls, goats, and camels, do not enter the herd without his permission, because most of it belongs to him (it is not part of *zakat*). If you have to enter the herd do not enter like one who is going there to take possession of the cattle. Do not tyrannize the owner, do not frighten the cattle and make them run hither and tither. Do not make the owner feel anxious or sorry for them. Then divide the herd into two parts and allow the owner to select the one for himself. If he selects one part for keeping do not object to it. Again divide the part which he has left; for the share of *zakat* to be selected from out of these two parts again allow him to select the lot which he wants to retain for himself. Never object to his selection (because if is the assessor who is dividing them in equal lots, therefore the selection between the two lots should naturally rest with the owner). Continue like that till you arrive at the lot which constitutes the dues of God (*zakat*), then take possession of it. If inspite of all these precautions the taxpayer thinks the division was unfair and unjust, then mix the whole lot and go through the process once again as I have already explained to you till you arrive at the dues of *zakat* to the satisfaction of everybody concerned.

(*Nahjul Balagha*, Letter #25, p. 218)

This command represents a perfect example of the respect for the freedom and the rights of the taxpayers and for their free will in deciding the amount of taxes. From the Islamic viewpoint the government and its agents are the representatives and the treasurers of the [Muslim] community (*ummat*) and not the owners and the absolute possessors of people's lives and property. For this reason people willingly and faithfully trust the government with their lives and wealth to be utilized for public welfare. It is not surprising that some people consider this type of tax collecting imaginary and idealistic. Most of the world's people live in societies whose governments rule over their bodies and not their hearts and minds. Regardless of the amount, people consider taxes as heavy burdens imposed upon them by force of the whip and bayonet.

The same people, however, willingly, generously, and without feeling compelled would pay taxes and make charitable contributions out of faith and belief. People contribute in all parts of the world, including Iran, for ideological reasons and out of religious conviction which has equal, if not more, of economic and social impact than governmental taxes. Scientific, religious and health institutions, charitable organizations, schools and churches and mis-

sionary institutions are funded and established by such charitable wealth. If the government of Iran and other countries of the world were to represent people's faith and public conscience, their revenues and social development will proceed smoothly and unhampered like the human body and its various organs.

### THE DIVERSITY AND DYNAMISM OF ISLAMIC REVENUES

Because Islamic socioeconomic injunctions are not being fully implemented, Islamic taxes and charities with their special titles and conditions may seem unsuitable. The economists who formulate governmental taxes and laws are special groups whose training is limited to particular times and particular groups. In accordance with their prejudices and limited views on the relationship between government and the people, they formulate laws which are generally rigid, limited and lack dynamism, flexibility, and diversity. As social and economic conditions change, shortcomings and asymmetry along with illeffects of their practices on the thoughts and life of the people will begin to emerge. Governments will be forced to modify and change the laws with the help of other economists and experts. The damage caused by the formulation and abolition of laws concerning fundamental economic and social issues cannot be easily measured.

Given the multiplicity and conditions of taxes and revenues in Islam it is readily understood that the principles of the laws of Islam in this regard oversee various groups, revenues, and expenditures. Because of their special link to the heart of the people, regardless of class, and because tax rates are left to the discretion of the public, these injunctions enjoy dynamism and a special diversity. Therefore, any change in the general economic conditions or in class opportunities do not decrease revenues nor do they diminish economic growth or weaken class solidarity.

Moreover, prompted by independent reasoning (*ejtehad*) and public interest, an Islamic ruler has the power to impose taxes or modify tax rates in exceptional circumstances. (The taxation at the dawn of Islam and the time of the caliphs were regulated by this practice.)

These injunctions are required when for the first time financial relationships are being established between the people and the State or among the people. After these are established charitable distribution (*enfaq*) — prerequisites to faith and piety — constantly and without any limit will guide transactions. While charity, except in the aforementioned cases, is not obligatory, the Qur'an as well as traditions have repeatedly emphasized that it is almost an obligation. There are few words in the Qur'an that have been mentioned as frequently as *enfaq* (or works derived from it).

According to the Qur'an, charitable distribution is the special attribute of



a pious person: "And spend of that We have bestowed upon them" (II: 3); "And in their wealth the beggar and the outcast had due share" (II: 19); it is also the special character of those who pray: "And in whose wealth there is a right acknowledged for the beggar and the destitute" (LXX: 24-25).

Social assistance and cooperation exceed charitable distribution in an environment where perfect Islamic training exists and faith and piety flourish. In sharing its wealth and livelihood, a society becomes a family. It materialized at the dawn of Islam: the prophet concluded a brotherly treaty with selected Meccans who migrated with him to Medina and with Medinans who helped him. They shared everything they owned—houses, wealth, and livelihood.

### ISLAMIC TRAINING ENVIRONMENT AND RELATIONSHIPS

The complete Islamic training environment and relationships are shaped by the totality of Islamic beliefs, ethics, and practical teachings. These relationships are based on the spiritual aspects of man. Because man develops and matures each day, the relationships, although permanent in form, also evolve; economic relationships do not stay permanent either.

Individuals who have special aims and goals give shape to the environment. Later they complement one another and form a social unit by adopting special duties and relationships. Islamic jurisprudence is a manifestation of these duties and relationships. The principles of Islamic *fiqh* [jurisprudence] are divided into two separate but interrelated compartments; '*ebadat* [devotional acts] and *mo'amelat* [business law]. '*Ebadat* are actions performed only to please God. The intention of pleasing God constitutes the spirit and the main condition of these types of acts. *Mo'amelat* are actions related to individuals interacting with one another and with society. They should be performed according to special conditions imposed upon each act.

The intention of pleasing God in performing and '*ebadat* elevate the mind from an egotistic and profiteering level to one where it conforms to God's desires which are synonymous with the general good. The effect of repeating an '*ebadat* is the transformation of one's world view and actions. Some of the '*ebadat* appear as forms of worship, i.e., daily prayer, fasting, and travelling to Mecca. Some others pertain to social, economic, or health matters (*tabarat*), i.e., *zakat*, *khoms*, *jihad*, *amr be ma'ruf* [enjoining good] and *nahy-e az monkar* [prohibiting evil], and religious ablution.

Directly or indirectly, '*ebadat* influence other relations; they strengthen desires consciously and deepen the understanding of one's responsibility before others and society, one's awareness of one's losses and benefits, and one's legal accountability. Finally, they take man to a higher human consciousness. On that level man does good for its own sake, provides services for the sake of doing



good, and spends his wealth in order to elevate himself. And all this is done for God and because of His wise and eternal desire. One cannot define intellectual and social progress in any other way. The Qur'an elaborates the attributes of those who possess spiritual growth in the following verse:

And know that the message of Allah is among you. If He were to obey you in much of the government, ye would surely be in trouble; but Allah hath endeared the faith to you and hath beautified it in your hearts, and hath made disbelief and lewdness and rebellion hateful unto you. Such are they who are the rightly guided.<sup>33</sup>

(XLIX: 7)

### FROM EACH ACCORDING TO HIS ABILITY AND TO EACH ACCORDING TO HIS NEED

The phrase "from each according to his ability and to each according to his need" is the first slogan of Islam and the last one of socialism.<sup>34</sup> From the totality of Islamic injunctions and teachings on ownership, this principle can be seen to be of certain validity. Ownership, possession, and utilization are based on work in its general sense, and distribution is based on need. This principle is based on the injunctions that enumerate the prerequisites of Islamic economic relations. Following these economic relations, in the last phase purification and consolidation of faith as well as social solidarity should materialize. The following slogans in such a community should prevail; "The believers are naught else than brothers" (XLIX: 10); "Help ye one another unto righteousness and pious duty" (V:3); "And spend [distribute] of that We have bestowed upon them" (II:3); "And strive with your wealth and your lives in the way of Allah!" (IX: 41).

The verses of the Qur'an, Islamic injunctions, and behavior of the early Muslims enumerate these phases. The social and mental evolution of early Muslims in Mecca and Medina present an actual picture of evolving features of Muslim relationships.

### NOTES

1. Historically it is certain that *toyuldari* preceded money and usury. However, there is no evidence to prove that capitalism (bourgeois) has followed [feudalism] and has developed from it in all places. The source of Western capitalism was, first, feudalism, and then money, gold, and silver that were obtained through usury and plunder of others. The discovery of America and the flow of gold and silver from that land became the source of local tyranny and the base of bloodthirsty

foreign colonialism.

2. "If you lend money to one of your poor neighbors among my people, you shall not act like an extortioner toward him by demanding interest from him" (*The New American Bible* 'Exodus' XXXII: 24); "Do not exact interest from your countryman either in money or in kind, but out of fear of God let him live with you" (*The New American Bible* 'Leviticus' XXV: 36); "You shall not demand interest from your countrymen on a loan of money or of food or of anything else on which interest is usually demanded. You may demand interest from a foreigner, but not from your countryman, so that the Lord, your God, may bless you in all your understandings on the land you are to enter and occupy" (*The New American Bible* 'Deuteronomy' XXIII: 20-21).

Usury in these ordinances has only been forbidden among the children of Israel. Taking interest from non-Jews is allowed. This permission, "You may demand interest from a foreigner," conforms to the Jewish mentality. Based on this, they scattered among other nations to suck the economic blood through usury and other ignoble acts. Obviously, parasites either live on the body of other living creatures or feed themselves on surplus food.

3. Jesus says in the Bible: "Love your enemy and do good; lend without expecting repayment. Then will your recompense be great. You will rightly be called sons of the Most High, since He Himself is good to the ungrateful and the wicked" ('Luke' VI: 35).

4. It is a reference to *Convention Nationale* operated from September 21, 1792, to October 25, 1795. It was called upon to frame a new constitution for France. (tr)

5. Some verses in The Qur'an describe the special character and profession of Jews: "And thou seest many of them vying one with another in sin and transgression and their devouring of illicit gain. Verily evil is what they do" (V: 62); "And of their taking usury when they were forbidden it, and of their devouring people's wealth by false pretences. We have prepared for those of them who disbelieve a painful doom" (IV: 161).

6. See Note 5, above. (tr)

7. In this verse multiple usury has been forbidden. It warns on two occasions [using *ataqu twice*] and declares its observance as a path to salvation.

8. The vices of usury, in comparison to other trades, can be summarized as follows: (1) Usury runs counter to the principle of exchange, whereby each individual exchanges his products with money or other commodities. (2) Through the power of his capital and money, the usurer attracts public wealth for his own. Capital concentration in the hand of the usurer deprives the other classes of their power of production and their spiritual capital. (3) With the spread of usury, the foundation of natural production dries out and economic growth, which is the foundation of social and intellectual life, is crippled. (4) Usury causes conflict, animosity, and class wars that destroy societies. (5) The usurer, because of his inaction, and other, as a result of their needs, are hindered from spiritual and intellectual growth.

As a result of these harmful effects in societies where usury is practiced, spiritual and economic independence, social responsibility, and understanding are destroyed. Such societies are not able to gain independence and stand on their own feet.

9. In those days usury was considered the same as a contract, although the nature of usury and its impact does not resemble that of a contract. To contract means to possess a commodity based on special conditions, whereas in usury the principal and interest remain with the lender. Even now, some Muslims think of usury as leasing, although the latter is a special contract and its conditions differ from those of usury. Leasing pertains to usage without any liability for the lessee except in case of damage, whereas the debtor in a usurious trade should return the principal capital and the set interest. It is not similar to partnership (*muzaraba*) either. In partnership, gain or loss is

shared by both sides. Therefore, usury is not similar to any other contract or transaction in terms of its nature, effect, or commodity. In usurious transactions the commodity generally is money. The intellectual and practical growth and independence of any individual in any society are based on proper economic contracts and transactions through which production and distribution are regulated. Usury is not like this. Therefore, usury disrupts the foundation, independence, and growth of the people and the community. The following verses show the relationship between economics and intellectual and social independence: "Give not unto the foolish (what is in) your (keeping of their) wealth" (IV: 5); "The day when (all) mankind stands before the Lord of the worlds" (LXXXIII: 6); and II:275 mentioned before.

10. Proper transactions in Islam are, above all, based on labor and production. Because usury has no relation to fruitful labor and production, it is an improper transaction. Usurious economy leads to annihilation. The opposite of usury is charity (*sadaqa*). Charity means distribution of lawful (*halal*) wealth to the needy and for the sake of God. The intellectual and physical powers of the needy begin to flourish and social relationships strengthen. As the usurer sucks the blood of the productive and the needy classes and weakens their hands and feet, which are for managing their lives, growth, independence, the economy diminishes. Charity, good economic relations, kindness, and care help the individual, society, and the economy to grow: "Allah . . . made almsgiving fruitful" (II: 276).

11. Measurable commodities, generally, are those needed by everyone; i.e., foodstuffs. More attention is paid to their measurement. There is usually an equivalent amount of human labor and energy in two measurable and equal commodities of the same type.

12. Prepaid transaction means selling a commodity with its delivery date set in the future for a cash price (at a lower rate). Credit transaction means receiving a commodity for a future payment (with some interest). Prohibition of these types of transactions in which a period of time is set as a condition pertains to the fact that a price is set on time [which belongs to no one]. "One should not defer installment." There is no consensus among the jurist on the prohibition and invalidation of these types of transactions. The preferred opinion of Imami jurists is what was just discussed. They consider revenue gained on capital invested in work and production as interest. And they see the automatic increase or the attraction of other's wealth without any labor as usury. "That which ye give in usury in order that it may increase on (other) people's property hath no increase with Allah" (XXX: 39). Usury in the Qur'an is compared with sale (*bay'*) and means increase in wealth from another's wealth without proper sale and transaction.

13. The verse warns believers against two groups: One consists of the worshippers who, under the banner of religion, take advantages of others, and wrongly use their useful labor and production. They close the path of God to people in the guise of religion and God's representation. The other group consists of greedy people who store public wealth and capital for their own. The Qur'an expresses the same opinion about these two groups—the pseudo religious and wealth worshippers—because of the cooperation they have with one another and the damage they do to life, economic and intellectual independence, and spiritual and material capability of the people. The history of Western lands in the Middle Ages is a clear witness to the cooperation between these two groups and their spiritual and material harm and injustices. The fire of their greed and selfishness rooted in history is still aflame. Deception, oppression, and lies, despite their piety and call to God, are clear in their actions and behavior. Any farsighted person can see the flame of fire in the hearts of these infernally damned groups on the Day of Judgment before God. One sees the invalidity of their claim written on their foreheads.

14. 'Ali ibn Ibrahim Qummi is one of the early commentators of the Qur'an. The year of his death is not known but he was still alive in 306/918-19. (tr)

15. Muhammad ibn Mas'ud 'Ayyashi al-Samarqandi is one of the early commentators of the



Qur'an. He was also a versed jurist in medicine and astronomy. He lived in the 3rd/9th century. (tr)

16. Following these verses, the Qur'an expounds on the hell fire and the punishment that awaits this group, and informs us of a hell that destroys and humiliates them. The fire that started from within [their heart] and without will inflame so much that all paths of salvation will be closed to them. Where does this punishment (to be put away and to be shattered) come from? It comes from the people's acts who, thinking that wealth is the source of securing livelihood, do their utmost to amass wealth. They do that to the point that their use of it is limited to counting it. (The end of wealth lovers is to be happy with counting and measuring their wealth.) Relying on the power of their wealth, they consider themselves more privileged than and superior to others. They humiliate others with defamatory insinuations.

17. This is another important work by Ibn Babuya. See also Note 6 of Chapter V. (tr)

18. This is an important commentary and interpretation of the Qur'an among the Shi'i Muslims. It is by Fadl ibn Hassan Fadl Tabarsi (d. 548/1153). (tr)

19. See Note 6 of Chapter V. (tr)

20. Ka'b al-Akhbar was a Jewish scholar who had converted to Islam. He had become a companion of 'Uthman, had become rich out of the Muslims' public treasury and expressed opinions about Islamic principles.

21. Raddha was a small town about three miles outside of Medina. There is no trace of it today.

22. The council to the Caliph, headed by Marwan ibn Hakam, an Umayyad aristocrat and an infamous Muslim, voted in favor of Abazar's exile. It is reported by Ibn Abbas that the following command of 'Uthman was publicized: "No one is allowed to see him [Abazar] off or talk to him."

Marwan and a group of guards took Abazar out of Medina. The commander of the faithful, 'Ali, his two sons, Hassan and Hossein, peace be upon them, 'Amar, and 'Aqil, went out of Medina to see him off. When Imam Hassan went to talk to Abazar, Marwan shouted, "Oh Hassan, do you not know it is forbidden to talk to him? If you did not know, you should know now." 'Ali struck Marwan's horse with his whip and shouted, "Away. May God send you to the fire of Hell." Marwan, ashamed and angry, went to report the incident to 'Uthman. People said farewell to Abazar. Then 'Ali in his farewell said:

O Aba Dhar! Since your indignation and anger against the enemies of God was for the sake of God and to secure His pleasure, you may rightly expect His Blessing. People are afraid of you because they will lose their worldly possessions and positions (on account of your true interpretation of Islam). You were afraid of them because you thought that Islam would suffer on their account. Now leave with them what they were afraid to lose on your account (vicious and sinful worldly possessions and power) and take away in your safe custody that which you were anxious should not suffer at their hands (true teachings of Islam). In fact, they are really and truly in need of that which you are taking away with you (peace and blessings bestowed by religion) and you can very conveniently do without that which they want to hold at any cost (worldly power and wealth), and in near future (on the Day of Judgement) you will know who has been benefitted by this transaction and who is being envied for this gain.

Even when the doors of Heaven and earth are closed against a man, if he sincerely and piously prays, the all Merciful God will confer upon him Blessings of both the worlds.

Aba Dhar! love only truth, and justice and hate only falsehood and impiety. Impious people will befriend you only when you accept their ways of life, and they will take you

under their protection if you enter their fold.

(*Nahjul Balagha*, Sermon 133, p. 99)

Then he told his two sons: "Say farewell to your uncle"

23. Abazar converted to Islam when Muslims were few and constantly were harmed and tortured by the Meccans. He was the first among the Arab tribesmen to accept the call of Islam wholeheartedly and to acknowledge his belief without any fear of the Qurayshi strongmen and the tribal members. The masses of people generally, and the bedouin particularly, submit to power. That was the reason that after Islam gained power the bedouin converted to God's religion in large groups. Abazar, however, was the only one among the tribesmen who accepted Islam as soon as he heard its call despite the poverty and weakness of the Muslims. It is reported that he had already rejected polytheism and the customs of the Age of Ignorance (*Jahiliyat*) by the power of his own reasoning and intuition and had turned to monotheism and the worship of God.

'Abdullah ibn Samit reports that Abazar had told him "Oh my brother! I had been praying three years before I met the messenger of God." When Abazar was asked toward which direction he had been praying he answered, "[I prayed toward] any direction God directed me."

Abazar was a distinguished person of a rare quality among Muslims. The messenger of God had this to say about him: "God bless Aba Dhar. He will live lonely, die lonely, and resurrect himself lonely." He could have had anything he desired had he compromised and remained silent a little. He died in exile in the middle of the dry burning desert, hungry and without a burial shroud. His helpless daughter left his corpse by the side of the road. On their way back from Mecca, Ibn Mass'ud and his companions prayed for him and buried his body. He died in such a miserable state but after such [an exemplary] life. The flame of his faith and his quest for justice inspired a bloody revolution which at first destroyed the Caliph [Uthman] and then gave rise to 'Ali's revolutionary government.

24. Since feeding and consuming is the most important and complete manifestation of possession, its denial means a negation of all rights. Moreover, its negation encourages more consumption. Wrong is the opposite of right. To squander means consuming in an unprofitable and nonuseful manner. The apparent exception of trade by consensus [in the verse], similar to all exceptional clauses, does not change the nature of the general rule [of not squandering one's wealth]. (Squandering by consent, although permitted in the verse, is squandering anyway. Therefore, even the exception of trade—transaction by consent—is included in the general rule of not squandering wealth.) If we do not consider squandering as wasteful consumption, even on revenues generated by trade, the exception violates the general principle of not squandering.

25. The short phrase "your wealth among yourselves" points to two levels of man's desire for objects. The first level refers to man's attachment to the intrinsic value of objects; whatever is needed to satisfy necessities have economic value for man. Only man in his relation to other things and creatures develops a desire for ownership. Their necessity creates attachment in man. Whatever satisfies man's need or has desirable effect on man's apparent and innate senses gains economic value. If man did not exist this economic value would not make sense. Because of man's existence colors, tastes, and satisfying sounds which exist in nature and those that are manufactured gain value. None of these desired objects belong to a special individual or group. Everyone has a share in them.

The second level refers to man's desire for objects following the formation of communities and the emergence of transactions. Wealth becomes a means of transaction. If one wants to possess something or carry on trade he should somehow transform the commodities. Through his labor stored in the object he enjoys the right of possession. "Among yourself is vanity" [in the verse] refers to the first level of desire for wealth. Wealth in the second level becomes property and is based on legal rights.



26. This verse points to two important phases. The consequence and logical conclusion of squandering will be the formation of a special class from the squanderer in alliance with rulers that plunder the people. The rulers deviate from their duty and become a special capitalist class. Squandering turns into tyranny and oppression. Solidarity and absence of class distinctions, which "your wealth" refers to, changes to "portion" and "property of people" as two distinct classes.

Some interpreters of the Qur'an take "vanity" to be synonymous with tyranny and usurpation and take "rulers" as judges.

27. The principle of *la-zarar* is derived both from reason and scripture. It is reported in *Usul Kafi*, as well as *Tabzid*, who reports from Ibn Bakir, who reports from Zorara who reports from Imam Muhammad Baqer [the fifth Shi'i Imam] that: "Samara ibn Jandab had a date palm in the courtyard of an Ansar's home. Without prior permission, he occasionally would enter the courtyard to check his tree. The Ansar asked Samara to seek permission before entering the yard, but he ignored the request. The Ansar appealed to the Prophet. He summoned Samara and told him about the appeal. Samara said: 'Why should I ask permission to check on my own tree?' The Prophet said: 'Sell your tree to the Ansar at a higher price than its real value.' Samara did not consent. The Prophet then said: 'You are a harmful person.' Then he turned to the Ansar and said: 'Cut his tree and give it to him.' Then added: 'Islam does not permit harming one-self nor does it permit inflicting harm on other.'"

This tradition is reported in different phraseologies, but in general there is no disagreement on the content. Ibn Athir in *Nabaya* has offered different parallel definitions to show the difference between *zarar* and *zerar*: *zarar* means one-sided harm, *zerar* means mutual harm; *zarar* refers to primary damage, *zerar* secondary and penal damage; *zarar* applies to interest, *zerar* does not. Some consider *zerar* an emphatic form of *zarar*.

28. The conditions, taxable items, and minimum amount of *zakat* is explained in Islamic jurisprudence. The jurists have considered the taxable items as follows: The four grains (wheat, barley, raisins, and dates); the three grazing animals (sheep, cows, and camels); and currencies (money, gold, and silver). Paying *zakat* for the other agricultural products or commodities is a desirable (*mostahab*) act. Some jurists, e.g., Ibn Babuya, considers *zakat* obligatory on merchandise also. To secure the public treasury, men of opinion have left the establishment of *zakat* on other items, not designated in the laws, to the discretion of individual jurists.

Although the Qur'an explicitly repeats the obligatoriness of *zakat* and the areas for its expenditure, it has not expounded the taxable items. Considering the farsightedness of the Qur'an and the designation of traditions and reports to special people; and environments, the path of independent reasoning (*ijtihad*) is open for undecided issues and necessities.

29. All Muslims, regardless of sect, celebrate the feast of *Fetr*. It is the celebration of the last day of the fasting month, *Ramazan*, the ninth month of Islamic lunar calendar. (tr)

30. The jurists are unanimous on the principle of *khoms* but do not agree to the way in which it should be used. The Qur'anic base for *khoms* is: "And know that whatever ye take (*ghhanamtum*) from whatever it is (*min shay'*), lo! a fifth thereof is for Allah, and for the messenger and for the kinsman (who had need) and orphans and the needy and the wayfarer" (VIII: 41).

This verse unlike that of *zakat* has explicitly spelled out the way *khoms* should be spent. The Sunni jurists hold the opinion that the verse refers only to the spoils of war. The Imami jurists, however, have extended it to other profits and gains. The Imami jurists base their opinion on some traditions, but they emphasize the meaning of the word *ghhanamtum* meaning "take" and the phrase *min shay'* meaning "from whatever it is," in the verse.

For the *khoms* the order of priority in spending is as follows: God, the messenger, the kinsman, and then others.

31. George Jirdaq in the first volume of the book *Sot al-'adala al-insaniya* (p. 204), quoting



this decree states: "Even though expressed many centuries ago, 'Ali's view on the condition of lands, their development, and the role of the state in the welfare of the workers and farmers is so correct that it is being proven by social and economic sciences . . . For many centuries no special attention had been given to man and his work. For many centuries rulers and their companions took advantage of the miseries of peasants. This situation and group massacre became a norm."

Using this barbarous method, rulers and priests joined hands in order to suck the life blood out of the people. They did that under the banner of patriotism, nationalism, and even in the name of God.

Herbert George Wells, a British historian, portrays the following picture of the situation:

By imperceptible degrees the common man found the patch he cultivated was not his own; it belonged to the god; and he had to pay a fraction of his produce to the god. Or the god had given it to the king, who exacted his rent and tax. Or the king had given it to an official, who was the lord of the common man. And sometimes the god or the king or the noble had work to be done and then the common man had to leave his patch and work for his master.

[*The Outline of History*, New York: Doubleday & Co., Inc., 1971, p. 193.]

32. Sayyed Razi, may God bless his soul, who has collected the Imam's sermons and letters in *Nahjul Balagha* has this to say about the letter: "We have presented excerpts of this letter to show how the exalted Imam ['Ali] established the foundation of justice and how he elaborated on a just course for large and small affairs in the form of rules and regulations."

I wish this exalted Sayyed had presented the whole text of this letter and that of the others. That would have made available these invaluable Islamic sources for Muslims as well as the world.

33. Submitting to prophecy elevates man to value faith for its own sake because it enlightens one's heart, whereas apostasy, corruption, and disobedience become undesirable. The enlightened person avoids them not for benefit or fear of loss and of punishment but for God. This is what intellectual and moral growth is all about.

34. The first slogan of socialism is "from each according to his potential and to each according to his labor." Socialists argue that this slogan should be implemented during the first stage of socialism. After this has materialized and production and distribution have been completed, then "from each according to his ability and to each accord to his needs" must be implemented.

The second part of this slogan "to each according to his need" does not conform to the labor theory of value, ownership, and distribution based on labor. The socialists had to use this slogan even though it is based on human value and not economic surplus.

# VII

## The Distinctions and Characteristics of Islamic Economics

Taking into consideration the totality of Islamic economic principles and injunctions and by comparing them with the newly formed economic schools of thought it can be concluded that the former is neither comparable nor compatible with any of the so-called scientific and applied economic schools of thought. Islamic economics possesses its own special distinctions which may be summarized as follows.

1. Islamic economics recognizes individuals as owners within the bounds of their own activities in the widest sense. It recognizes individuals to be in possession of what they trade within the limits of special Islamic injunctions. Other than this stipulation, public capital and trade limitations fall under the jurisdiction of the *bakem* [Islamic guardian / ruler] who is the owner in some cases and supervisor in others. In this respect Islamic economics is based on neither unlimited freedom of individual ownership which results in unbridled capitalism nor public ownership which leads to total privation of individual freedom. It is also unlike a mixed economy whose boundaries and limits are ambiguous. Moreover, it contains conditions with regard to communal and individual wealth which are compatible with human nature, the order of a just society, and overall rights. It bases individual ownership on innate human freedom and common ownership of public interest.

Capitalism and communism in practice dispense with their general theories. The capitalist countries which practice the principles of unlimited individual freedom have transgressed these principles and constantly try to "muzzle and fetter" this unbridled horse of capitalism through nationaliza-

tion of large productive enterprises and factories. On the other side are the principles of theoretical collectivism—with all their rigidities—which in practice have allowed for individual ownership of housing and farms, by either legal decrees or in accordance with traditions.<sup>1</sup>

There are obvious violations of their respective principles because these two schools of thought are not applicable to the realities of life. Rather they are the by-products of recent Western industrial economic fluctuations. Once the fluctuation has passed, the economy is presumed to return to natural rights.

2. From the viewpoint of Islam the desire for wealth and economic relations are connected with modes of thought, innate characteristics, emotions, and human instincts. Economic and social environments are a reflection of the combination of these attachments. Since Islamic economics deals with discerning and establishing the limits of these desires for the purpose of appreciation of economic relations, it is not devoid of intellectual assessment and ethical training, or separate from religious (*ebadi*) and social injunctions. Although the intellectual, sentimental, and legal relations of individuals may appear not to be connected, these relations are invisible bonds of the human soul. They are related and affect one another. According to the goals they set and in which they believe humans have different outlooks and relations with respect to their desires, and these differences change the forms of the relationship. (For example, different organs in the body perform separate tasks while connected with the whole body, yet through the spinal cord they are all connected with the brain. Thought and intellect affect them in some ways, and any change in one organ also affects others.) The subject of relations between bodily organs, their functions and interrelationships, and impacts on each other and their psychological effects are so important that they have been placed on the top of psychological and medical problems. No physician can attempt the treatment of an organ of the body without being concerned with its relation to other parts of the body. Likewise, psychological treatments are related to medicinal ones and the functioning of the organs. The skill of a physician or a psychologist is determined by how well he is able to diagnose these mysterious and complex relations.

The bonds of human affection for one another and with other living things are as complex and mysterious as the relations between the body's organs. Those who think or believe that by considering only one isolated desire or bond, i.e., economic relations, they have diagnosed social ills and have proposed cures are like magicians and snake charmers who having a single magic or prescription claim to possess cures for all the diseases in the tribe and can exorcise demons or charm any snake. By the power of suggestion they may stupefy a patient or charm a snake but the illness will reappear more acutely and the charmed snake will rise more fiercely once the effect of the spell has worn off. Is not the cure for man's instinctive love of wealth and rebellious soul, based simply on economic relations, resemble those primitive cure of tribalism?!



Islam recognizes the connection between regulating the limits on rights and desires along with the proper assessment of views, the strengthening of faith and the development of consciousness and human values. Islam has prescribed economic injunctions and laws on the basis of these principles. The various Islamic laws are so intertwined with these principles that only in the innermost corners of consciousness and with matured intellect can one comprehend their boundaries and diversities.

3. The limits of ownership and economic relations in Islam are regulated by three factors: (1) individuals, (2) injunctions, and (3) government.

Individuals to the extent of their maturity and by the dictates of faith and responsibility to their conscience are free—like in other affairs—to possess material things. They are allowed to draw benefits from goods that are not possessed by others. This freedom in the area of trade is limited to the right of ownership which has arisen from the activity itself and to the Islamic injunctions and conditions pertaining to the integrity of the trade.

The government of Islam which lies with the Imam, the guardian/ruler or God's vicegerent or the one sent by Him, has the authority to limit further the rights of use and ownership by individuals beyond that already prescribed by law, since it is superior to the right of possession and for the purpose of establishing justice and equity in society's interest.

The precedence of the right of the Imam and the guardian/ruler in all which can be possessed in accordance with their ability to distinguish public interest is their indispensable right. There are texts to this effect such as "That it become not a commodity between the rich among you" (LIX: 7), or the rule of *la zarar* (no harm to oneself) which prove the guardian/ruler's right to material possession is above all other rights.

4. From the point of view of Islam, distribution, like production, is the natural and innate right of the person engaged in that activity. The individual is free to choose any activity and the act itself becomes the basis of the right of ownership. One of the outcomes of this right is that the owner is free to possess and distribute the products of his activity and of his property. The limitations and laws restricting the use and rights of ownership and the general supervision of the guardian/ruler guarantees systematization, sets limitations on distribution, and prevents unlimited profit. Under this limitation and supervision why should not the right of possession and distribution be given to the person who produces the goods?

As it was said earlier, it is unnatural that the results of labor and the production of an individual's effort who has been created free should be under the authority of capitalists or governments which give them only enough food and provide them with limited means of livelihood like the amount of lubrication they apply to factory equipment to increase production. Capitalists take away people's independence, freedom, and identities, the most precious of all things, by deceit and under various pretences. If the owner and worker-agent

are not free in using and distributing them, and distribution in practice is to be limited to the extent stipulated by needs, then both the rightful owner has been deprived of his rights and human values have been ignored. And these are the two fundamental motivations for good behavior and bringing forth talent.

If distribution is limited to the extent dictated by needs of the worker-agent (although human needs are unlimited and undefined), the worker-agent would have no motivation to produce beyond that which has been recognized as necessary. On the other hand, those who are unable to work do not meet their needs and are doomed! Can one ignore these groups of people? Are they not entitled to human rights? And are not most of them also entitled to the right of their past work and as producers or guardians of future talents?

5. On the basis of Islamic economic principles the rights of ownership and distribution of natural products is based on the right of possession and distribution of natural resources. That is land and all its resources belong to everyone and the government which is the guardian and representative of public interests has the right of supervision and distribution. Any person acquires a right to these resources as determined by the revitalization of the land, extraction of underground resources, and exploitation (*biyazat*). An individual acquires rights by making productive use of such moveable natural objects as surface rocks, running water, and animals on land and sea. As long as these relations and claims exist such rights are assured for individuals.

These rights are preserved to the extent that there is no harm inflicted on public interest. Mineral resources and public lands in their natural form belong to the public and possession of them is bound to the rights of the public. If someone owns more than is in the public interest, the law of public ownership and the power of the government would limit his exploitation and prevent excess profit.

On this basis the initial distribution of natural resources is the source of production, and at the next stage production regulates distribution which is the owner's first right. From this point of view the distribution of products is not sufficiently distinguished from the production and distribution of natural resources to warrant a separate treatment and make it compatible with production. This is because production is not limited to natural resources and preparation of final products; it also includes subsequent usage and distribution among the needy. The rights of the middle men should also be taken into account. Thus in trade, to the extent that it is a useful service, the right of the middle man is natural and legitimate.<sup>2</sup>

Although Islamic injunctions have prescribed this natural right, they have forbidden trade which does not involve useful service. The general and categorical prohibition "eat not up your property among yourselves in vanity" (II:188) points to this issue. In addition to prohibiting usurious and quasi-usurious trade, even in cases where making a profit may lead to futile and useless activity, Islamic jurisprudence (*feqh*) has forbidden it. For example, pro-

hibiting purchase prior to possession (*qabz*) or setting out to greet the caravan and purchase goods before it enters the city are designed to prevent such abuses and undue benefit. The limitations and regulations on trade and the right to annul a transaction is provided to give ample opportunity to check the product thoroughly and to verify real worth in order to prevent illegal profiteering.

Given the limits on freedom of trade and the government's supervision of commodities in Islam the law of supply and demand in the capitalist sense does not apply. Demand in common capitalist usage and in its reality is determined by purchasing power and wealth whereas demand based on Islamic jurisprudence (*feqh*) arises out of need. In Islam the supply and provision of commodities will be to the extent of satisfying (*kamali*) [morally elevating] necessities. In Islamic economics the market cannot become the toy of capitalist greed which may open the way to "eat in vanity" (II: 188).

Rights arising from land revitalization, exploration or exploitation (*hiyazat*) are primary sources for the distribution of these resources and materials. But these derived rights are not a basis for the right of absolute ownership. The absolute right of ownership applies only to those things (products of land and materials) which are the results of activities of human effort. On the basis of this right the owner of the product of that activity is free in the use of that product; either to consume or depreciate it or to incorporate it into his other activities or into that of other persons in order to initiate a new activity. The product of work, whether in the form of a commodity or exchange for cash value, is the source and motivation for new activities which leads to new endeavors. In any case the initial labor invested is a contributing factor and establishes an interest in subsequent activities to the extent of their contribution to production. Islamic injunctions have both a prescriptive (*ijabi*) and preventive (*salbi*) regulations for all such transactions in order to prevent possible unlawful profits (i.e., profits without a useful purpose) and maintaining freedom.<sup>3</sup>

These derived rights as applied to usufruct and distribution resulting from exploration of natural resources are specific features of Islamic economics. Practical methods of capitalism do not provide just methods for possession and distribution of natural resources. In capitalism, regardless of the methods by which these resources come to be possessed, they are subject to absolute right of ownership, not limited right to secure profit. As a result, in production and distribution of goods, the initial capital—regardless of how it has been obtained—and the means of production contribute to capitalist profit.

Marxism has assigned the manner of possession of natural resources by man to the evolution of the means of production and to the course of history according to which the relation of man to resources is defined. The differences between collectivism and capitalism center on issues connected with industrial production whereas those dealing with natural resources are parenthetical in both schools of thought.



Islam places the foundation and center of human life on natural resources and has neither entrusted them to the powerful hands of capitalism nor to the destiny of the evolution of the means of production. From the Islamic point of view the "hand" which makes vital resources available for exploitation by mankind is the hand of the working human within the limitations that make him respect the rights of society.

Since the rights of individuals to possess and distribute resources differ depending on the commodities, they are not defined legally in perpetuity. That is, the right of possession and revitalization of unexploited lands is established to the extent that the act of revitalization has been carried out and will last for as long as the land is properly exploited. Among resources such as pastures and forests as well as surface waters the right of exploitation is established by the person only to the extent he keeps it productive. No one can prevent him from exploiting those resources except in cases involving common interest. In such cases jurisdiction is preserved for the Islamic guardian/ruler. These injunctions apply equally to rocks one has gathered, a prey he has trapped or caught in the sea, or a tent he has erected in a corner of the desert. The proof of these rights is established by two conditions: (1) prescriptive (*ijab*); and preventive (*salbi*). Prescriptive proof is the right of exploitation of land, and preventive proof means that there must not be any intention of transgression upon the public right or the rights of other individuals, nor must there be any intention of hoarding.

With regard to minerals, the exploration and extraction of the surface of a mine alone does not establish the right over the entire mine. The right over whatever is explored and extracted from the depths of the earth is restricted to the amount that is extracted. The rights of exploration and extraction of mines that are located on the surface or are in a state ready for mining under the ground are limited to the amount extracted.

While preserving individual rights as well as public rights, the Islamic guardian/ruler will levy a tax on lands that he deems prudent to be used for public expenditures. Moreover, a twenty percent tax on all mines is obligatory. These laws are the basis for determining the distribution of the production of natural resources.

6. Since natural resources—land, water, forests, seas, and minerals—are sources of livelihood for human beings and all other creatures, if the limitations on the right to use them and distribute them are justly and clearly regulated, then all other matters connected with the means of livelihood would also follow suit, and economic problems arising from economic relations would be alleviated appreciably. Economic scholars of the industrial era have devoted most of their attention to solving the problems of industrialization and industrial production, but they have not provided just, definite, and clear solutions, solutions that not only would be acceptable and satisfactory to the original owners and safeguard their rights but also would help expand and in-

crease production from these resources. The remedies presented by these scholars are neither congenial nor satisfactory for all problems.

In reality the principles of capitalism have no solution; thus these problems continue to be left to the influences of legal and illegal forces. The collectivist systems in practice also do not have a clear, commonly proven method. Both systems reject feudalism, yet their proven theories, despite the differences which they contain, are not compatible with different conditions and interests in every economic environment. In so far as their views regarding industrial means, production, distribution of commodities, labor rights and relations, and methods of implementation are concerned, their respective views cannot be applied to natural resources and their derivatives, or to the rights of peasants, farmers, miners, hunters and others, because natural resources in their original forms belong to the public and have no specific owners, whether an individual or a state. Unlike industrial plants, natural resources generally do not depreciate and their portion which is subject to depreciation and depletion is never in excess of users' rights of exploitation. Therefore, those who exploit natural resources possess the first right and are the original owners of these resources. For those primary resources that are exploited by the original agent, regardless of subsequent transformation which they may undergo, the right of the original agent is preserved in them. Islam respects this right and recognizes its permanence and considers it to be the *primary capital*.<sup>4</sup>

Thus, those who exploit the resources of nature ought to have the right of seniority and the right to consider others as their dependents. Those who constantly open up opportunities for exploiting natural resources by one hand and distributing them to other needy people by the other cannot restrict their working hours, methods of exploitation, and quantity of output. Any restriction on or alteration in the activities of these agents, who are motivated by needs as well as desires and talents, will cause an anomaly in their lives and, consequently, in public life. Their relations and attachment to land, gardens, farms, and herds are not artificial and imaginary. Their compassion for and attachment to nature and its resources are similar to those of a baby to its mother's breast.

Considering these aspects, there are no similarities between the life and mental characteristics of persons who live and work with nature and those of workers and wage earners in factories. The latter, regardless of wages and fringe benefits, do not have the same relation and attachment to the factories and the machines. In addition, their working hours, wages, and production are restricted. Control of the factory and over their work is in the hands of the government or the capitalist who can close down the factory and fire workers at any time, or switch their jobs and raise or lower wages and working hours.

Consequently, such interference in the rights and the work of the farmers and peasants is a harmful mistake. Interference in their affairs should be only to secure their rights of possession and utilization; to eliminate any infringement upon their rights by any individual or group; and to give them appropriate

assistance.

These examples illustrate the difficulty of determining the boundaries of ownership of natural resources and land, improving the conditions of farmers, and alleviating other related problems. They also show the differences between exploiting natural resources and the nature of industrial activities. It is because of these differences that the collectivists, despite their common rejection of unrestricted ownership of land and their condemnation of feudalism, share no common views or policies about limiting the desire for ownership of land, whether it should be absolutely nationalized or held jointly by the state and the farmers. In very few countries, either collectivist and noncollectivist, is the situation of the farmers and ownership over land similar. None of the collectivist leaders or economic scholars have ever claimed that the situation of ownership of land and its relationships can be altered or improved by any form of revolution or by decrees and legislation, as is usually the case where industrial capital and trade capital are involved.

As it was explained and documented in detail earlier, the Islamic view on land is a decisive and natural one. It can be summarized by the following three principles. First, land and other natural resources belong to the public and are under the supervision of, or belong to, the Imam or Islamic guardian/ruler. Included in these lands are those territories acquired by Muslims through methods elaborated in Islamic jurisprudence and also portions of land that individuals have illegally confiscated or taken as fief. Second, revitalization is the principal source of limited ownership or of possession by priority. According to this principle, the revitalizer has ownership and possession to that part of the land that has been revitalized as long as the act of revitalization continues. Third, the Islamic government and guardian ruler can levy *kharaj* [tax] on the revitalized land to enhance the public interest and for the purpose of improving the condition of land. Another tax, *zakat*, should also be collected on the products of the land and initially it must be spent to improve the livelihood of the farmers.

On the basis of these principles which rely on public faith and belief, it is faster and easier to distribute land justly in Islamic countries and to increase production and to eliminate infringement upon the rights of the farmers than in countries with other laws. In Islamic countries, where due to historical necessities and general conditions of the time the Muslims are compelled to reconsider the situation of farmers and agriculture and change past policies not compatible with Islamic precepts, it is the duty of the governments to undertake the following steps at the outset:

A. Entrust unutilized and uncultivated lands, which are worthy of use and by far exceed that already under cultivation, free of charge among those who are willing to cultivate. They must provide irrigation facilities—which is a simple matter today—seed, and fertilizers free of charge or in the form of loans. In this way the farmers will become the rightful owners of the land, water, and the



seed; and without worries about their lands or fear of claimants, they will do their work, increase production, and expand cultivation and utilization.

B. Limit previously owned villages and plantations to farm lands, lands under cultivation and their surroundings, and grant farmers the right to spread seed. These two actions remove obstacles allowing farmers to be free in their activities and independent in their work and to become the rightful owners of their crop. Previous owners will be compelled to provide in any way possible for the livelihood of farmers who are working on their property and to keep them satisfied. Otherwise, farmers may choose to migrate, and the owners would be forced to leave the lands idle or sell them cheaply on installments.

C. Stop supporting the landlords, because in Islamic countries feudalism and ownership obtained through usurpation are not supported by Islamic injunctions and laws that are derived from them. Governments which support the oppressors for their own advantage often have devised laws contrary to the principles of Islam in order to legitimize their policies. Repressive ownership in Islamic countries has never had any other source of support except from such governments. Therefore, if the governments withdraw their support and ban resolutions on behalf of these owners, the latter will no longer have the power to unjustly possess lands, oppress farmers, and infringe upon farmers' rights.

D. Collect taxes in the form of *kharaj* and *zakat* from cultivators and on specific products to a certain extent and spend them to assist farmers for further land revitalization.

Where Islamic governments truly wish to bring about a fundamental and deep-rooted change and revolution, promote good economics and ethics, make Islamic countries independent in all aspects, and avoid each and every day following a path which would lead them astray and confuse people with their contradictory resolutions and laws, they should implement these four remedies that are in conformity with faith and national customs and are most simple and easy. If, however, they only wish to portray themselves as developed and on par with other countries and try to imitate others blindly, they ought to know that with such views and intentions they will not succeed. "Those whose efforts goeth astray in the life of the world, and yet they reckon that they do good work" (XVIII: 105).

7. The right of ownership in proportion to the extent of activities begins with the right of usufruct and exploitation of natural resources. This right enters into the area of transactions and exchanges arising from Islamic injunctions, and in the course of time ends at death. Therefore, for the owner and bearer of this right, no right of possession will remain after death and the record of his activities and earnings—like the record of his good and evil deeds—will be closed.

The right to one-third of the wealth is an exception for the purpose of compensating the claims of relatives or for charity and fulfilling social obligations, if the amount of inheritance is not sufficient for the livelihood of the in-

heritors or deserving relatives other than those who directly stand to inherit, or if the public interest necessitates. In that event the person whose death is imminent could set aside one-third of his wealth for such expenditures.

It is prescribed for you, when one of you approacheth death, if he leave wealth, that he bequeath unto parents and near relatives in kindness. (This is) a duty for all those who ward off (evil).

(II:180)

When death has befallen a person and ended his desires, and ownership and use of his wealth has ceased to exist, the product of his activities (the wealth or the estate) must be neither concentrated nor denied to the dynamic and stimulating desires of those entitled to it. Rather the estate must be divided up and distributed in accordance with the productive capabilities and supervisory responsibilities of the recipients.

It should be noted that in regard to injunctions about inheritance three basic principles ought to be observed: (1) the principle of motivation in activity; (2) the principle of nonconcentration and nonidleness; and (3) the principle of distribution of the estate according to productive capability and responsibility. Motivation in work and effort, beyond fulfillment of personal needs, is the attachment and sentiment one feels for his children, parent, and relatives. Man's motivation for continuous work and effort and his entry into the hardship stage of life reflect these attachments and sentiments. These are so stimulating and powerful that man often sacrifices his comfort and pleasures and even his life for their sake. Because these attachments are the stimuli for a person's continuous activities, objects of these sentiments and attachments have a claim over the products of these activities. If the estate of a person whose rights have ceased to exist following death is not received by kin or in-laws, the stimulating power of activities will weaken and society's reward for human ability will be diminished. Therefore, to deny inheritance to those entitled to it is contrary to nature and to the welfare of society.<sup>5</sup>

The law of inheritance and the act of prohibiting the deceased from maintaining the estate after death lead to division of the inheritance among the recipients in specific proportions, except in rare cases.

The laws of inheritance and its distribution takes into account attachments, but the manner of distribution mostly takes into account the interest of the inheritor and society. From this aspect the degree of one's responsibility toward others and one's productive capability and distributive ability ought to be taken into consideration. Since man is responsible for the protection of woman and is the main agent who initiates the use of wealth, his share in the inheritance in any class is twice that of the woman. Since the woman is under the care of the man and she is created to bear and rear children and not to produce wealth, once she has taken a husband, she enjoys equal share in the assets. Moreover, because she has no expenditures and the husband must pro-



vide her with everything, her inheritance is a form of stagnant wealth. She is also entitled to keep whatever she earns by working or engaging in business.

And covet not the thing in which Allah hath made some of you excel others. Unto men a fortune from that which they have earned, and unto women a fortune from which they have earned. (Envy not one another) but ask Allah of His bounty. Lo! Allah is ever knower of all things.

(IV:32)

This verse expounds three basic principles: (1) differences in talents should not cause unjustified expectations, and animosity towards others must not take place; (2) drawing benefit and usufruct from an activity by male and female, each of whom must benefit in accordance with their activity and efforts; and (3) instead of adventitious covetousness and demands each should spend their talent and energy to draw more rewards from the eternal source of power—God.

Considering these innate principles and social relations, Islamic laws of inheritance, similar to other Islamic injunctions and laws, are very judicious and resolute like the order of creation. These principles and relationships cannot be understood except by persons of right and resolute thoughts.<sup>8</sup>

8. After restricting the right of ownership, usufruct, transaction, and other required duties such as *zakat*, *khoms*, and *sadaqat*, Islamic injunctions also place restrictions on the ways goods can be consumed. The consumption restrictions definitely increase production of useful commodities while advancing the use of wealth for economic growth and utilization of manpower. Also, they prevent the expansion of useless factories and the production of commodities that are harmful to individuals and society.

The quantitative and qualitative effects of consumption on income, production, and distribution are not a secret. A person who is engaged in harmful and useless consumption and has become addicted to them will constantly utilize his mind and thought in order to find other unlawful channels of income, and gradually the ways to theft, embezzlement, and stealing from public and private funds will be within everyone's reach. In proportion to the increase in such consumption, the means and factories to produce goods will also rise (e.g., distilleries, corrupting films, tobacco products, centers of corruption, deviant art, etc.), while by the same proportion the means of producing necessary and morally elevating commodities will decrease. Human energy and productive abilities will deviate from the path toward perfection of life and mind and ultimately the darkness of material and spiritual poverty will encompass individuals and society pulling them towards death and general annihilation. This assessment regarding the situation of consumption and income applies to all nations and societies. Considering relations among nations, the production and consumption of harmful goods brings humans closer day by day to



the brink of annihilation. Consumption and production of goods which undermine human character, decency, and intelligence and promote calamity constantly rise to the point where perhaps eighty-percent of human and natural resources are used to produce such goods and armaments to wage wars that have no logic and human rationale except man's egotism, psychological complexes and lust for superiority. These same carnal instincts expand and motivate the use of human energy and industrial power for inventions and development of heavy industries to make destructive and world-threatening weapons. To this should be added heavy military budgets and training, unutilized energies of the most capable humans, and deviation from the path of production and perfection. If all physical, intellectual, and industrial abilities were employed for good purposes, service to mankind, and progress in life and science, no one would remain hungry or without adequate clothing and shelter, or be deprived of means of livelihood, or remain ignorant even if human population were to increase several fold. From the earth, sea, and sky, gates of blessings would open and the domain of living would expand to include empty deserts and mountain peaks.

And if the people of the township had believed and kept from evil, surely We should have opened for them blessings from the sky and from the earth. But (unto every messenger) they give the lie, and so We seized them on account of what they used to earn.

(VII: 96)

This is a clear assessment of the abject life of the children of Adam today. Reformers and men of vision should find solutions which are based on such straightforward assessments comprehensible to the public. Otherwise, by resorting to formulas and mathematical calculations, most of which are not compatible with the realities of life and psychological complexes and complicated human desires, they cannot solve life's problems and establish justice for all. The model builders are not unlike those who concentrate on filing the potholes for the comfort of the travelers while overlooking the deep wells that await the human caravans every step of the way.

The overall situation of the inhabitants of the earth are similar to those of the inhabitants of a remote village where chiefs or headmen take advantage of old disputes and deep-seated psychological complexes of the indigent villagers in order to perpetuate their own authority; they expend the villagers' fruits of labor on making clubs and cudgels, daggers, and knives, or on opium and gambling. Occasionally, on the pretext that a child from one neighborhood has struck a dog of another, or someone from the other neighborhood has roused the horse in this neighborhood, they induce the villagers to clash, shed each other's blood, burn each other's crops, and kill one another's livestock. The villagers then present whatever is left of their crops to the agents of the chiefs while they remain hungry and without adequate clothing and shelter. Amid

this, the wise men with good intentions are preoccupied with studying to find methods of production and equitable distribution rather than working to establish an environment of peace and security, guidance and coexistence, and restraint from wasteful consumption!

Islam has prohibited any consumption that is not conducive to public livelihood or advancement of faith, intellect, and science. In some instances such as drinking, gambling, furnishing the instruments of debauchery, hoarding gold and silver dishes, unlawful pleasures, abject lust, and corrupting arts, Islam has issued explicit prohibitive injunctions. In other cases, there are general prohibitions pertaining to the production, importation, purchase, and selling of commodities that are determined to be harmful and unnecessary. From another standpoint, no other creed has encouraged and bolstered contributions and expenditures from one's possessions for public livelihood and charity and for the elevation of intellect and morality like Islam. Such charitable contributions by decree and as a duty are incumbent upon every Muslim. "And in their wealth the beggar and the outcast had due share" (II:19). And even before individual responsibility is that of the Islamic government, which is dutybound and responsible to supervise overall consumption and public trusteeship.

Military expenditures, which comprise the largest item in the backbreaking budget of societies, are restricted within Muslim societies on the basis of Islamic injunctions and regulations about wars. However, since wars are dependent on the conditions and the overall beliefs of the people of the world and are, thus, beyond Islamic jurisdiction and laws, limiting military expenditures and wars cannot be achieved except through international peace treaties. Islamic countries under today's conditions are not immune to violations by warmongers and aggressors; in fact, they are at the center of events. Consequently, Muslims must not be heedless of the verse, "Make ready for all thou canst of (armed) force" (VIII:60).

If someday people of the world, weary of wars, come to their senses, and either consciously or unconsciously understand the aims of Islamic wars ("Until persecution is no more, and religion is for Allah" (II:193), and reach out in amity and harmony to one another, the Muslims, in accordance with their Islamic duty, will take the lead in coexistence.

O ye who believe! Come, all of you, into submission [unto Him]; and follow not the footsteps of the devil.

(II: 208)

9. In the Islamic territories and within their jurisdiction, laborers and wage earners are not the slaves of a capitalist class or subdued by the state. These groups are themselves free and are also free to work for their livelihood provided they work to the extent of their needs.

In industrial environments and factories of the West which deal directly

with workers and their difficulties, it has been imagined that labor difficulties and disputes are due only to industrial development and expansion. Therefore, those who support improving workers' conditions have sought such solutions as reduced working hours, increased wages, and secured workers' rights through insurance, unemployment benefits, health care, and retirement benefits. These solutions are related only to such working environments and limited to the conditions of the worker in the West.

The collectivists consider nationalization of industries and government ownership as the only solution to all individual, social, and labor problems. In their view, nationalization is the only magical and healing medicine for all material, spiritual, and moral ills. In reality, however, neither the difficulties are due to factories nor does the solution lie in private, collective, or state ownership. The root of all difficulties, complications, and pressures brought upon workers and worker dissatisfaction is that capital profiteering have become the goals, and the growth and permeation of these goals have become a habit and disposition. Monopoly of the means of production, hoarding goods, and usury originate from here. Whether the person who hoards, or the monopolist and the usurer by individuals or groups or the government, the sinister and poisonous effects of unbridled capitalism leads to deprivation of freedom and extraction and exhaustion of the physical and mental resources of the workers, wage earners, and others who belong to this class.

Islam withers the roots of this filthy habit with its deeply rooted spiritual teachings and through its explicit and firm injunctions and laws which bridle the greedy while securing freedom for workers and wage earners. In such an environment capitalist strongholds cannot take root, let alone become formidable fortresses defying workers and wage earners. It is within the walls of monopolies, hoarding, profiteering, and bankruptcies that workers are compelled to put their lives and energy at the disposal of capitalists who are backed by law and the government which allows them to drain the last breath of workers' lives and then discard them like scum without feeling a sense of responsibility. Islam and its laws are far above allowing such foul thoughts and actions and brutality to have an opportunity to grow and expand, or to remain silent before the laws that justify such practices. Under Islamic law and injunctions wage earners are free to act as they want. They can earn wages under equal and balanced conditions or share in the profits or in the principal capital. The employer, whether a private capitalist or the state, cannot alone determine the amount of work and the worker's share in profits or wages. The injunctions pertaining to *mozaraba* [limited partnership between workers and capitalist], *mozara'a* [temporary sharecropping contract], *mosaqat* [irrigation contract], *ja'alab* [standard or predetermined rewards], and *ejareh* [lease or rent] in Islamic jurisprudence are based on this very freedom of action and equality or rights.<sup>7</sup>

In Islamic jurisprudence financial contracts and resulting profits and



returns are based on the initial activity. Capital is the product of the initial activity that went into exploitation of natural resources. Profits are generated as a result of combining the primary and secondary activities while paying attention to differences in talents which give rise to differences in the value of the activity. Since the original source of value and, hence, ownership emerge as the result of the initial activity and subsequent activities, later workers at subsequent stages cannot necessarily be the sole owners. Moreover, the means and tools of production do not receive a share in the profits.

From the point of view of Islam, the owner of capital is the one who owns the resource or that which is derived from it. Therefore, the cultivator and exploiter are not agents of any person. Also, the owner of seed, bulbs, and saplings owns the fruit of the trees, and if he does not have a contract with the landlord or the owner of tools he is only obliged to pay them for the right of use; the farmers do not share in his profits. This principle also applies to industrial output. The primary (original) capital is no more than the primary resources.

The wage earner is the one who transforms this capital into other forms without being the owner. In the final analysis, everyone should receive benefits of his own labor and deserves to keep whatever he has obtained.<sup>8</sup>

10. One of the distinctions of the economic system of Islam is that it preserves independence of financial acquisitions and provides for the growth of human dignity within society. If we accept that the actual form of society does not take shape outside of legal relationships among individuals and classes, combined with individuals' independence and dignity while observing the rights of others and the administration of collective rights and promoting fraternal relations meant to preserve the independence of the individual by the society and not vice versa, then we must also accept that because individuals possess two characters—individual and social—they have the freedom to possess the products of their activities while at the same time accepting limits on their possessions and rewards in the public interest. This, however, does not imply that society possesses an independent legal character separate and distinct from the totality of individual rights. Since the government must be representative of individuals and not of a particular class, and it must not possess characteristics distinct from those of the individuals, or have any duty but to preserve individual and collective rights, it has no right to limit or deprive the individual or group of freedom or independence in the name of protecting the supreme interest of the government or society.

Since the Islamic view of the individual, society, and government is not beyond what was elaborated above, it not only has allowed individuals to be independent and free to possess the fruits of their activities subject to collective rights, but it also has considered freedom a necessary, inalienable, and paramount right. Without securing this right the people will not be happy or encouraged to cooperate with society and express their talents even if every

physical comfort and means of livelihood was provided for.

Capitalism is based on the premise that individuals are free and independent, and it supports free (*laissez faire*) economy. But with the growth of a profiteering class, individual freedom and independence will ultimately be destroyed or tied to the interest of this class.

Since Marxism is based on revolutionary ideology of a particular class it is not devoid of class despotism. It denies individual freedom and independence. On this basis the state acquires an independent legal status and becomes representative of a special class. Inevitably, the rights of other individuals and classes are ignored and undermined. Therefore, to absolve itself, Marxism accuses individual freedom, democracy, and parliamentarism as being the ways and means by which capitalism attempts to promote itself. To what extent this accusation is valid or invalid, given the circumstances in various countries, is not being discussed here; rather what should not be overlooked is that freedom and independence are the foremost human desires.

The experiences of recent centuries and overall studies have established that progress in production and comfortable living will be better obtained if they are established alongside individual rights, without which a lasting and deep rooted collectivism cannot prosper. This is because in an environment where freedom is curtailed and favorable conditions for the growth of the general public does not exist, the way is always open to a few opportunists and privilege seekers to dominate others. To maintain their authority, they will lead society in any direction they please and bend principles to fit their desires. There would be no spiritual hindrances, such as ethical integrity and piety, or social hindrances, which constitute the supervisory power of the people.

To complete this discussion, the concept of class, the reasons for the emergence of class privileges, and methods to prevent them should be discussed further and in greater depth. [See Chapter VIII].

11. In the field of economics, as in spiritual relations and social attachments, Islam has fixed principles and evolving laws and injunctions. The fixed principles serve as the source and origin for the evolving injunctions and as the base for public relations. The injunctions dealing with newly arisen issues and problems must conform to the fixed principles and be in the public interest. On this basis, Islamic injunctions are both permanent (fixed) and evolving. A society which is governed by these principles and injunctions is not stagnant and its past and present, old and new fabrics will not be torn into shreds. This subject has been explained in detail under Islamic jurisprudence. It is subjugation and self-resignation of the Muslims before foreigners and their puppet regimes that has immobilized the Muslims in every respect and, consequently, has paralyzed the economic system of Islam as well as that of other areas. The hegemony brought about by the class system and Western oriented capitalism in Islamic countries, along with stagnation and a halt to Islamic

jurisprudence, has created in some a misunderstanding that Islam supports the capitalist system.

In Islamic jurisprudence, which is the source and guarantor of Islamic laws and injunctions, no general or specific injunctions can be found that is in the interest of special individuals or classes and detrimental to others. If in some instances and legal issues, there appears to be a trace of capitalism, it is due to the influence of the milieu. The principles of Islamic jurisprudence and injunctions, with their creative potential and unparalleled and important function, express, demarcate, and determine the rights, limits, and relations within the standards of truth, justice, and fair share. It is incumbent upon the *ulama* and the *majtaheds* to discern and deduce Islamic rights and limits, because their thoughts stem from the verses of the Qur'an, sound traditions, practices of Islamic *oliya* [infallible guardian], and a clear and open mind. The notable and salient features of the principles of Islam are what those who practice *ejtehad* and deductive reasoning must utilize to delineate derivative injunctions and compose answers to the newly arisen issues. They have no right to deviate from or violate, even slightly, any of these sound principles. The bases for the legal injunctions and economic relations of Islam are the verses of the Qur'an and traditions that abound with calls for administration of justice, truth, and *qest* [equity]. The call to establish equity (which means a just portion, share, or receipt), has been repeated in more than twenty-five verses of the Qur'an, including the following:

- |                                                |             |
|------------------------------------------------|-------------|
| Maintaining His creation in justice. . . ;     | (III: 18)   |
| . . . those of mankind who enjoy equity. . . ; | (III: 21)   |
| Be ye staunch in justice. . . ;                | (IV: 135)   |
| . . . witnesses for Allah in equity. . . ;     | (V: 8)      |
| . . . judge between them with equity;          | (V: 42)     |
| Give full measure and full weight, in justice; | (VI: 153)   |
| Say: My Lord enjoineth justice;                | (VII: 29)   |
| And weight with the true balance;              | (XXVI: 182) |
| . . . act equitably;                           | (XLIX: 9)   |
| And observe the measures justly. . . ;         | (LV: 9)     |



That mankind may observe right measure.

(LVII: 25)

A command or call to establish concepts and meaning synonymous with *qest* (equitable distribution and giving due rights) and not ignore giving an individual or group rights due to it was also mentioned at other times in various verses of the Qur'an. Among them are verses prohibiting *bakhs* (to ignore and infringe upon irreplaceable right):

And wrong not mankind in their goods, and work not confusion on earth after the fair ordering thereof.

(VII: 85)

"Wrong not mankind in the goods, and not evil, making mischief on earth."

(XXXVI: 183)

Using the content, syntax, and words of these Qur'anic verses and others like them referred to earlier in this discussion, Islamic scholars and *mojtaheds* have been able to set forth the legal problems encountered and economic relations in the form of specific and clear injunctions. In regard to problems and issues that arise, they must express opinion and fill the vacuum and discover the meanings on the basis of these principles. Therefore, the duty of a Muslim scholar and thinker is indeed to discover and to adapt. Other economic schools and legal principles are in the process of formation and experimentation and, therefore, do not shed a far-reaching and well encompassing light on new problems and minute details. Unlike Islamic principles, the new principles do not rest on a strong foundation on which to build upon.

12. According to what has been said, Islamic economics is based on the principles of truth and justice and does not rest on the interest of a special group or class. From the point of view of Islam the emergence of class privileges is not an inevitable, essential carnal feature or an irremediable social necessity. It is the outcome of the deviation of individuals and society from the principles of truth, justice, and the notion of transgression and as a result of colonialism and oppression which is taking root. The form of society reflects on the relationships between individuals as manifested in the thoughts, minds, and morals of the people. Any change in thought and souls of individuals will be reflected in social relations and the form of society. "Lo Allah changeth not the condition of a folk until they (first) change that which is in their hearts" (XIII:11).<sup>10</sup> In the course of history and in different contexts, in both large and small forms we have observed the emergence of integrated and classless societies providing definite testimony that the emergence of classes is not a historical necessity. That groups resort to truth and justice in confronting others and consider their own views to be the right one is clear proof that right and justice are real. What is relative and variable are the contexts and adaptations. If we regard truth and justice to be only relative, then we must not consider the excruciating

whips of the slave masters and the sharp swords of the landlords upon the bodies of slaves and peasants as unacceptable and cruel. On the contrary, we ought to consider slaves and peasants worthy of torment and stop complaining about the capitalists and colonialists and stop lamenting and whimpering. Would it be correct to conceive of justice and truth, and all-comprehensive and general desire of man, to be the result of class war? Can wars and class differences that are the bases of transgression and oppression ultimately become a source of justice and blessing? If the infrastructure is always war and contradictions, how is it conceivable that someday the suprastructure will emerge as peace and coexistence?

According to Islam, the real infrastructures, constituted of people and human spirits, is built on desires. To transform human spirit it is necessary that faith in justice and truth be recognized and strengthened. It is with such a transformation that the foundation and the features of life and society change.<sup>11</sup> People become subject to the existing environment and its constraints only when they themselves have been transformed into involuntary instruments. A careful look at, and an examination of, the totality of Islamic injunctions and laws would reveal to any clear-sighted person that these injunctions are not based on, or derived from, class environment, or favor one class at the expense of another. They are based on the principles of truth and justice; and the corrupt state of feudalism or capitalism and slavery has not had an influence on the codification of these injunctions. This in itself is a dismissal of the notion of creative power and mastery of class structure and its undisputed impact upon the formation of societies, intellects, and governments. Understanding this fact, however, is very difficult for those who themselves have been products of class-ridden society.

In the next chapter the reasons for the emergence of class privileges, slavery, and slave trade; the remedy sought by Islam to eliminate them; and the keeping and trading of slaves will be discussed.

13. Before explaining the injunctions and regulations concerning financial relationships and ownership, the Qur'an directs the thoughts and beliefs of the monotheistic individual to the original basis and source of all rights and ownership of the manifestations and forces of nature. The belief that all beings are the creation and property of the Source, Creator, and Lord of the Universe is the origin of faith in unity (*tauhid*). Therefore, the "Owner of Sovereignty" (III: 26), who "is all creation and commandment" (III: 54), has so created and endowed man with reason and possessions that he can employ his senses, his mind, and his limbs to uncover the secrets and characteristics of creatures so as to make effective use of them. Accordingly, the Qur'an has portrayed this powerful, thinking phenomenon, above all other entities, as "the caliph": "Lo! I am about to place a viceroy on earth" (II: 29).<sup>12</sup> This monotheistic orientation, on the one hand, and the vicegerency of man on the other, make the "caliph" so responsible, and so set forth the duties of the caliphate, that man

can neither exceed his limits nor be remiss in his critical responsibilities. Although he is free, independent, and able to make choices, the caliph, because of his position, is constrained to enforce the will and attain the objectives of the Sovereign Lord of Creation. For a caliph who must discover the secrets and fruits of creation by his penetrating intellect and power to possess which have been given to him, who must reshape the resources for forces of nature into forms that are fully realized and useful, and who must extract and deploy benefits in accordance with the will of the One who has given life to all beings and handed down these injunctions and laws, these injunctions and limitations define public rights in matters pertaining to the caliphate. To violate these restrictions is to violate the caliphate and to betray the munificent Lord.

Every Muslim monotheist, therefore, has an obligation to enforce the will and the commands of that true possessor of all things, being himself his property, caliph, and deputy. This obligation supercedes his responsibility to keep the faith, to respect and preserve the rights of others, to maintain public security, and to enforce injunctions.

14. A monotheistic human being, who regards himself as a representative of the owner of all things and the implementor of his commands, and who does not regard himself as being fully empowered in the act of taking possession, cannot have an independent view of that Creator's property and estate. In light of this, wealth and possessions are nothing more than a means of attaining humanitarian aims and objectives and for elevating the stature of man. The idea that wealth is an aim in and of itself in economic relations, or something to be used as a means for satisfying passions and in the realization of depraved, animalistic aspirations, arises out of human intellectual deviation, shortsightedness, and perversion. This deviation of thought and outlook is the most potent cause which leads classes and societies to follow individuals and, like them, to seek to amass wealth in any way possible and to exploit human beings for production, profit-making, and centralization of wealth. It sanctions all forms of oppression and aggression, and thereby blocks the way to universal growth and just production and distribution.<sup>13</sup> Because of their implications for all aspects of the spiritual and material life of mankind, these two kinds of outlooks—one viewing wealth as an end, the other viewing it as a means—have been matters of special concern for all prophets and visionary reformers, and especially for those who follow the teachings and injunctions of Islam. The endeavors of our sainted leaders to bring about such intellectual transformation and broadened vision must not be seen merely as spiritual and ethical advice for the individual; they must be seen rather in terms of the changes and praiseworthy effects they have brought to all aspects of human affairs.<sup>14</sup>

Those who look at such teachings superficially and regard them as individual responsibilities meant to apply to mosques and temples, do not see, or do not wish to see, the fact that society is nothing more than an aggregation of



individuals, and that the spiritual and moral qualities of individuals are what determine or change the aims of a society, and lead the population towards or away from good or evil.

Economic relations between individuals and between the individual and society are like the relationships between the organs and members of the body and to the body as a whole. Each organ of the body takes in food and converts it to some other substance, and after consuming or storing it, passes the remainder on to the body at large for the other members. The production, distribution, absorption, and expulsion of nourishment is not the final objective of the bodies of living beings. The ultimate aim, after protection and growth, is the preservation of the species; this is accomplished in plants by means of fruits and seeds, and in animals through procreation. Human beings do not stop at this; all physical production and distribution activity is transferred to the powers of the intellect and the ability to discover and create. Because of this, human talents and gifts become manifest and increase.

The production and distribution of natural resources in the body of society as a whole must not exceed its natural and observed limits, in order that everyone, in accordance with his intellectual and physical abilities, may partake as needed of nature's resources, convert them to food or other commodities, or make them available to the public so that each person can take what he needs. Every member of society, through continuous cooperation with other members of society, can carry out this vital responsibility; in this way the channels of access will be opened to the good things of nature and everyone will benefit. The final consequence of all this toil and effort will be, first of all, improved health for the individual and society, and then a strengthening of the foundations of intellect and morality, in order that people can stand up aided by the powers of the spirit, lose their need for the earth's cradle, and be prepared for a great ascent to paradise: "Have we not made the Earth a cradle for learning?" (LXXVII: 6).<sup>15</sup>

With the sort of perspective and the habit of thinking in terms of the hereafter, in which humanity regards wealth in the economic relations of "the world" as a means and a preliminary process, man can arrange his life for the purpose of achieving higher aims.

Since the watchwords of this perspective have a salutary effect on the ordering of life, in promoting the concept of taking just enough of what is needed from the endowments of nature for the purpose of achieving higher aims, and on economic relations, a great many of the verses of the Qur'an and the sayings of the great leaders seek to guide thinking toward this truth.

In the "Surah of the Cave," after explaining ideas such as this through a parable about two people and their fate, the Qur'an presents the reality of this world as follows:

And coin for them the simile of the life of the world as water which we send down from the sky, and the vegetation of the earth

mingleth with it and then becometh dry twigs that the winds scatter. Allah is able to do all things. Wealth and children are an ornament of life in the world. But the good deeds which endure are better in thy Lord's sight for reward, and better in respect of hope.

(XVIII: 44-45)

In the following verses the Qur'an declares that adopting a depraved life and setting one's sights on it carries with it seed of rebellion, a place in hell, and it causes heedlessness:

Then as for him who rebelled and chose the life of the world, Lo! Hell will be his home;

(LXXXIX: 37-39)

But ye prefer the life of the world, although the Hereafter is better and more lasting.

(LXXXVIII: 16-17).

The commander of the faithful 'Ali, peace be upon him, has discussed the world and its wealth at various times and in various ways; he has compared them with each other in the hope of opening the eyes of those who accumulate and search for wealth and make it their goal. His Holiness compared the nature of wealth with that of knowledge and reason in various short sayings, in the hope that these short sayings would circulate among people, be remembered, and open the eyes of the greedy.

Your welfare does not lie in your having enormous wealth and numerous children, but it rests on your being highly educated and forbearing.

(*Nahjul Balagha*, #94, p. 282)

...knowledge...protects you, and you have to protect wealth.

(*Nahjul Balagha*, #146, p. 289)

Wealth decreases if you keep on spending it and knowledge increases the more you make use of it.

(*Nahjul Balagha*, #146, p. 289)

Knowledge is [the] ruler and wealth is its subject.

(*Nahjul Balagha*, #146, p. 289)

Those who amass wealth, though alive, yet are dead to the realities of life, and those who gather knowledge will remain alive.

(*Nahjul Balagha*, #146, p. 289)

What you get through wealth disappears as soon as wealth disappears.

(*Nahjul Balagha*, #146, p. 289)

There is no greater wealth than wisdom, no greater poverty than ignorance, no greater heritage than culture.

(*Nahjul Balagha*, #54, p. 278)

No wealth has more utility than intelligence and wisdom...(and)  
no deal is more profitable than good deeds.

(*Nahjul Balagha*, #112, p. 284)

These are samples of the views of the infallible leaders of Islam on wealth and its relations, handed down in the hope that they will open the eye of humans and be used to awaken and employ human talents and endowments, and prevent these precious endowments from being used in the acquisition of property and wealth.

These fourteen principles, which (in my view) constitute the characteristics of ownership under the economic injunctions of Islam, summarize part of the issues and discussions which have been raised previously in this book. The implications and applicable details, documented and otherwise, are deleted. Therefore, an Islamic ruler, as such, must be competent to exercise independent reasoning on religious matters or be guided by his contemporaries who have such competence, and he must have responsibilities. The first is to implement all documented injunctions; the second is to make and inferences and apply them to existing conditions. In his executive capacity, just as he controls public resources, supervises production and distribution, and manages public and governmental revenues, he also is charged with securing the lives of individuals. In this sense, the right of government takes precedence over individual rights.

The perfect model of Islamic society and government, with respect to relations among Muslims and between Muslims and the government, takes the form of the one that emerged at the dawn of Islam following the migration of the most respected Prophet and the Muslims to Medina. In order that this congregation is never forgotten, the city of Yathrib was named Medina al-Rasul [The City of the Prophet]. In this model city, some of the private wealth of the Ansar was turned over to the Mohajerin, and wealth was controlled by the government, with the exception of small amounts of private wealth and special allotments of the spoils taken in the crusades. Wealth was divided equally and according to need among all the people. There was no distinction between individuals, and no distinction between the governor and the governed except in matter of state administration. There was no visible difference between them in attire or housing. Everyone considered himself a responsible participant in public affairs, and, as has been noted previously, this superb model of collective effort and sharing was largely preserved until the time of the caliphs.

Later on, the Islamic world took on a capitalist hue, and it deviated from the principles of that initial model. This coloration even had an effect on the judgment of the jurists, in such a way that in some of their legal writings, which are not clearly documented and well connected, there are clear indications of environmental influences. There are examples to be found that illustrate these malpractices, which must be studied separately. Under the circumstances in



which he finds himself, the author of this volume has neither an orderly mind, nor a good memory. Moreover, he lacks access to the necessary books and documents.

Since I lack the capability and strength to do more, I must confess that the content of this work has not been presented in a systematic, organized, or complete fashion. What is being submitted for the consideration of the thoughtful reader in the way of documents, sources, and conclusions may be viewed, to a certain extent, as the clear path of Islam with respect to the principles and relationships of ownership. It is hoped that researchers and thinkers who are blessed with freedom, peace of mind, and access to documents will correct the errors and supply what is missing.

Since social researchers and economic theorists of this age largely regard class distinction and slavery to be products of the nature of ownership and financial relationships, it appears that a complete consideration of these two issues requires a discussion also of the Islamic point of view.

#### NOTES

1. After the communist revolution in the Soviet Union several views at various centers have since been expressed regarding the ownership status of the *peti* farmers. In some instances limited ownership has been allowed whereas in others freedom of ownership has been curtailed.

The following news item was reported in the Day 16, 1343 (January 6, 1965) issue of the [Iranian] daily *Ettela'at*:

Moscow—Petr Shelest, the first secretary of the Central Committee of the Communist Party of Ukraine has written an article in *Pravda* vigorously defending private production of agricultural products. He writes that many restrictions that have been imposed on the private production of agricultural commodities in the recent years must be lifted. The Communist Party of the Ukraine, he adds, is ready to assist farmers who are willing to produce selected agricultural products. The Central Committee of the Communist Party and the provincial government of Ukraine have adopted policies concerning the private ownership so that more rights would be assigned to the *kolkhoz*, the workers, and the farmers. Moreover, the Central Communist Party of Ukraine is willing to assist those farmers who would like to raise cattle.

In 1921 Lenin had also agreed to a re-establishment of small property ownership.

[Note: The article to which the author refers in this passage could not be verified as cited. It is possible that the correct date has been misprinted in the Persian text. —tr]

2. In the decree of the commander of the faithful [Imam 'Ali], peace be upon him, to the governor of Egypt, Malek Ashtar referred to earlier, useful functions which the merchants and craftsmen perform in production and distribution have been mentioned and the utility of their work acknowledged.

3. In accordance with this principle a person renting a house is not permitted to sublease it at

a higher rental price unless he has introduced additional alterations on the property. Similarly, a person who has accepted a contract to perform a function under *mazaraba* in exchange for a share in the profit, is not permitted to entrust the job to someone else and reap a profit for a task he has not performed. As has been explained earlier usury was prohibited for this very same reason. These injunctions are accepted by all, some, or most of the Muslim jurists.

4. Since capital is the starting point and the stimulant to other activities, and subsequent transformations are performed on the initial output, the right of ownership must be preserved throughout all stages. It is a source of benefit. The means and equipment that are later utilized to change and alter the initial capital and the labor employed to achieve this alteration are utilized to complement and further benefit from the initial capital; therefore, laborers have no right beyond the amount of depreciation and their wages. Thus, the workers do not share in the profits on the initial capital.

5. Just as habits, attributes, and physical indispositions, some of which are the results of activity and acquisition, are genetically transferred to the next generation and taken together are an important factor in the evolution of living beings, the material products of activity and effort too are the natural right of the next generation which is the recipient of these habits and attributes. Indeed, the heir is a new manifestation of the past and, as was said before, attachments and sentiments are themselves effective stimuli to efforts and activities. Therefore, inheritance is the natural and preferred right of the heir; indeed, the heir is a real partner in the inheritance. It should be noted, however, that only the estate which is the result of fully lawful activities of the bequeather will be subject to inheritance. It is a fact that in addition to prescribed legal and trade injunctions in verses dealing with inheritance, many times the following verse (with a difference in pronoun) has been repeated: "... after any legacy that many have been bequeathed or debt" (IV: 12). Therefore, before distribution of the estate all the rights, whether mentioned in the will or not, must be accounted for and the estate purified.

On the issue of inheritance these two verses should not be overlooked: "Give not unto the foolish (what is in) your (keeping of their) wealth, which Allah hath given you to maintain; but feed and clothe them from it, and speak kindly unto them. Prove orphans till they reach the marriageable age; then, if ye find them of sound judgment, deliver over unto them their fortune" (IV: 5-6).

As the discussion in the verses centers on acquisitions of financial rights, what is meant by "foolish" and "sound judgment" has to do with financial possessions. That is, wealth due those who are mentally incapable of making productive use and lack wisdom to spend it legally belongs to the public and stays under the control of the Islamic ruler. The implicit argument for "wealth which Allah hath given you to maintain" was presented earlier. It is inferred from the verse that wealth, depending upon social conditions, belongs to society and is to be spent for social development and that the individual's rights are secondary and incidental. Therefore, the inheritance of those who are not mentally capable of holding possessions and lack clear-sightedness to spend wealth legally will become public possession and will be taken over by the Islamic ruler in accordance with "... what is in your keeping. ..." Once the heir has attained proper maturity his wealth will be returned to him ("... which they have earned. ...").

6. We do not refer to the imitators or self-resigned who have no opinion or thoughts of their own and express views in order to gain women's support or have other motives. Specific injunctions dealing with the inheritance of women, similar to other legal rulings on the rights of women, have no bearing on the position and respect for women and do not degrade the position and status befitting a woman or her dignity. Also, a Muslim should at least obey the Divine Legislator who encompasses all the best to the extent of obeying temporal laws or following the advice of a physician.

Moslems should resort to means other than reasoning and logic only when it is necessary to prevent the rebelliousness of those who have gathered in an Islamic society and, in the name of Islam, neither obey the Divine law nor follow a course that is in the interest of society.

7. *Mozaraba*: It is a contract between the agent/worker and the investor. Both sides share the profits by mutual consent, and the investor bears the losses. If the agent/worker agrees to receive a specified amount of the profit, he is entitled only to that amount. If the investor abrogates the contract the agent has the right to claim wages. If a dispute arises regarding the amount of the capital or the profit of the agent/worker, the claims receive priority.

*Mozara'a*: It is a contract between the owner of a piece of land and the agent/workers. The landlord should provide irrigation, fertilizer, and other means as well as the seed (according to the preferred opinion).

*Mosagat*: It is similar to *mozara'a*. The agent in such a contract shares in the profit.

*Ja'alah*: It is a unilateral contract (or proclamation) which promises to reward the doer of an activity, with no time limit specified. For example, one might declare that any one who digs a well or clears rocks off a parcel of land will be entitled to a certain amount in return or will share in the profits.

*Ejare-ye Shakhsh*: It is a covenant to perform an activity or to implement an activity within a certain period of time.

In none of these contracts does the agent have the right to sublease his contract to others at a higher return than has been agreed upon so that he receives profit for a task not performed. The Islamic jurisprudence supervises the implementation of these contracts and profits which result from them. The original source of capital is the primary activity performed on natural resources. Since ownership originates with the initial activity, as long as the original owner continues the effort and does not relinquish it, the right of ownership remains effective. The succeeding agent/workers are neither entitled to wages nor share in the profits. Because the means and instruments of work are the tools of human activities and do not directly share in the initial profit, their owner can either receive wages or may be allowed a share of the profits.

If the right of the original agent/worker has somehow ceased the succeeding agent/workers become the owners of the commodity or share in the profits to the extent of their activities. According to Islam, in all these transactions and contracts, the profit that has been obtained is the result of a combination of labor and capital. If we accept that the capital presently being used is the result of fixed activities embodied in the primary resources and the right of the previous agent/worker is preserved, then we must agree that the accruing profit is the result of past and present activities. Therefore, if capital were stagnant and incapable of being combined with activity, it would have no use from the Islamic viewpoint, such as *rebu*. Thus, in *mozaraba*, for example, if a fixed profit is contemplated it would not be legal because it would transform the form of the contract to usury. The economic difference between usury and other forms of transactions and exchanges is that in usury a profit is drawn from an immobile and stagnant capital. In leases involving properties and standing structures, although profit is received from fixed capital resembling usury, they involve depreciation. The collected rent is legal. In usury, however, the capital is neither mobile nor does it depreciate. The usurer, in any case, receives interest and the amount of capital remains fixed.

In conclusion, according to Islamic principles keeping capital idle is illegal but capitalism restricted to certain activities and governed by Islamic injunctions is not. This form of capitalism does not have the power to deprive workers of their freedom, unlike ordinary capitalism with its law of such supply and demand and laissez-fair economy. In addition to the rules and injunctions governing transactions and the requirement to avoid direct and indirect losses (according to the principle of *la zarar*) which is applicable to every one, the government has the authority to intervene, supervise, and act, or it can assign prices to commodities that are considered to be necessities to prevent them from becoming subject to the greed of the profiteers. The public guardianship of the Islamic ruler necessitates that the previous workers receive satisfactory and legal wages. If their wages and profits during the period of employment were not enough, or if they could no longer work, their livelihood, to the extent of their needs, would be provided for from general revenues.

8. The commander of the faithful Imam 'Ali, peace be upon him, speaking of crusaders in



the path of God and of booty taken in war has said: "If you [a certain Abd Allah ibn Zam'a who requested a share of the public treasury] have not participated in Islamic wars and other affairs, you should know that one gains only what one earns." This statement is clear testimony that a person has a right to gain from his labor.

9. If a person supposes that these emphatic commands regarding the establishment and administration of *qest* are mere advice and sermons, he has not understood the meaning and intention of these verses. The tone, different interpretations, and emphases of these verses are testimony that a legal ruling had been intended. The injunctions and laws where matters (issues) have been identified must be codified on the basis of these commands. The Islamic guardian/ruler is the guarantor of *qest* and *bakhs*. The commander of the faithful, peace be upon him, in sermon 127 of *Nahjul Balagha* says: "In his distribution of wealth he should not lean toward a group and deprive another group of their rights and shares."

[Note: The author's citation of Sermon 127 could not be verified in either the Arabic or the Persian version of the *Nahjul Balagha*. The nearest one can get to the meaning intended by Taleqani is given in Sermon 134: "Nor must he fear nations, so that he seeks the friendship of some and treats others with enmity." The translation provided here is based on the author's interpretation. —tr]

10. Interpreted differently the same fact has been repeated in the surah of *Infal*: "That is because Allah never changeth the grace He hath bestowed on any people until they first change that which is in their hearts" (VIII: 53).

11. Through a redirection of the souls of man, Islam was able to change the nature and relations of society. It presented a perfect model of justice and well-defined rights to the people in an environment of plunder, restricted trade, and oppressive rules by domineering aristocrats, Arab chiefs, and kings. It was able to apply this model to differing environments.

With the sudden industrial transformation of Europe in the Middle Ages, people were subdued and their talents and energies frozen in the factory atmosphere. Then they were subjected to fate and an environment which reduced them to involuntary instruments. The same people revolted as soon as they felt a breeze of freedom. To some observers and to those seeking solutions, this unique feature of the industrial West became a yardstick for measuring past history and offered the only solution for the future.

12. The verses pertaining to God's sovereignty in matters of ownership, the caliphate of man, and the subordination of all creatures to Him were cited previously in Chapter V.

13. Since the time man came to regard wealth as a means of acquiring power and security, and as its power to subjugate souls has increased with the growth of its influence, there have always been clear-sighted men of good will who have tried to counteract this situation with teaching and training, and sometimes, through the imposition of laws. They have tried to enlighten the minds of men and to open the eyes of the people to enable them to see property and wealth as a means to an end. The teachings of the prophets in elevating and enlightening minds and in the destruction of the idol of wealth, as they destroyed the idols of old which were themselves actually manifestations of the worship of wealth, has had a stabilizing effect on the thinking of mankind. For this reason, before the Industrial Revolution, although the problems related to production and distribution of wealth were always a part of the relationships of life, they were not considered the only ones or the most important ones. After the Industrial Revolution the monstrous idol of industrial production reared its head and steadily loomed larger and larger. It summoned nations, seates, landlords, peasants, employers, and workers into its presence and made them bow down before it, and brought with it the most important and complex difficulties in the life of mankind. The emergence of industrial development in the West coincided with a decline in the intellectual influence of religious institutions and a growing public fear of their teachings. The principles of the teachings of the prophets were buried behind a facade of empty religious rituals which were part

superstition and part oppression, and which served to support oppressors and retard the development of reason and knowledge. What little remained of them lacked the appeal necessary to keep the common people in control of themselves on a plane above the level of the concerns of wealth and passion. The more the inner appeal of religious teachings and faith in their principles weakened and the influence of the idol of the modern age, with its wealth and its marvels, expanded, the more influential were its governments and authorities over the thoughts and will of the people. Ultimately, the unspoken motto of a public obsessed with the worship of industry and wealth came to be: "let expenditures of all intellectual and physical talents and capabilities of humanity be dedicated to the cause of industry and the increase of wealth." Since the end result of a preoccupation with wealth and property and sacrifice of all the humanity has at its disposal is the intellectual perversion of man, like other forms of idolatry, it leads to deviation and destruction and runs counter to nature and the straight path, this form of slavery inherently leads to animosity and class conflict. The natural response to this is the emergence of revolutionary ideologies and hostility.

The tyrant of capitalism maintains that everything, from science, industry and war, to peace, government, society, and ethics, exists to increase wealth. The progressive socialists say that all these things are derived from some form of wealth. It is no exaggeration to say that both camps regard wealth both as object of worship and creator; they both express agreement on this principle in different terms.

In this sense, the differences between these two points of view are incidental; they revolve around ways to increase production and to allocate and distribute goods. Since the root of the problem, which is the idolization of wealth and production, is common to and firmly entrenched in both points of view, this spiritual and intellectual problem cannot be solved using plans and conceptualizations of these schools of thought. In practice every problem they solve will generate new ones. Ultimately, being unable to find a practical solution for the problems they create, they relegate the final solution to history, taking refuge in their imaginary flight from the realities of life deceiving themselves with hopes for the future.

Although the solution to problems, as has been noted, comes from humanity itself, such solutions are both difficult and simple. They are difficult because the power of guidance and leadership is in the hands of people who are themselves ruled by wealth and the passions arising from it; it is not easy to push them aside and liberate the people from their spell. They are easy because instinct, unfettered reason, and the teachings of the prophets, especially in the East, support and cultivate the idea that man is too lofty and precious to be ruled and owned by wealth and to make it his objective. If a group of such people is assembled, and guidance and leadership is given to it, however small, by people who are free and possessed of high aspirations, it will attract the subjugated and weary people of the world who are fed up with worship of wealth and the contradictory views of its idolatrous spokesmen, and the wars that it produces. Examples of such guidance, and societies produced by it, have always existed in the world. They can be seen even today in the East, which is the cradle of spiritual teachings. The economic motto of this kind of society ought to be "let production and its expansion and wealth and its manifestations be used to promote tranquility, and to foster, train, and manifest the potential of man." On the same basis, distribution regulates the power of the government, and its responsibility belongs to all the people. This practical procedure can destroy this monstrous, ubiquitous idol of the age of industry and science and lift the blinding darkness it has created.

The command to spend money "for the sake of God," which appears throughout the Qur'an and is one of the first conditions of faith and a Muslim duty, is intended to bring about this change of orientation and to promote an awareness that production and distribution must be done in the interest of public welfare. "and spent of that We bestowed upon them." (II:3)

The broad and true meaning of capitalism is that wealth and its increase are universal goals, both for the individual and the state. It is either a misapprehension or a disregard of reality to think that if the increase in wealth is not an aim, production will decrease or public wealth will not increase. Achieving the highest levels of production possible, when that is the primary objective

necessarily involves ignoring the individual and his talents. Its talents do not develop independently as they should, and they are not utilized freely. Consequently, production, which is the result of work and initiative, does not take root. Conversely, if aims are set higher than the level of production itself, barriers to the development of independent talents are removed and motivations are stronger. Although this condition is achieved slowly and over a long period of time, its roots are deeper and its material and spiritual rewards will continue to increase. The purpose of not making increase of wealth and property the objectives is to make the perfection and elevation of man to the next life his chief objectives. These and other such objectives are not easily comprehended by the common people under present world conditions; the point is that property must come to be regarded as a means and not an end. It must first become a means of satisfying needs and sustaining life, and an impetus to motivation and awakening. To paraphrase the Qur'an, "your wealth, which Allah hath given you to maintain" (IV: 5), must flow easily through the veins of society so that each member can share in and be fed by it in accordance with his needs and capabilities. Then it must become a means of employing talents; and finally, a means of elevating reason, intellect, and thought.

14. Criticism of this world and praise of the next by religious people—in the widest sense of these two terms—are intended to broaden the vision and elevate the aspirations of humanity to a level of perception beyond the domain of the animals. The profound impact of such an internal revolution in ordering and instilling the principles of happiness cannot be ignored.

15. A cradle cannot be regarded as a child's lifelong dwelling place. The function of this temporary phase of life is to enable the child's body and members to become strong so that he can stand on his own feet. The Qur'an has called the Earth a cradle to point out to its inhabitants that the purpose of life here is to strengthen their intellectual and moral powers so that they can be free of the Earth and depart from it, "Lo! The Day of Decision is the meeting place" (LXXVIII: 17).



# VIII

## Class Difference and Privileges, and Their Origins

The term class refers to a group of people who have a common and specific trade and profession in a society. The natural causes of class distinctions are special mental and physical attributes and training of individuals. People have various tendencies and turn to a variety of professions and jobs on the basis of their attributes, talents, and training. They choose whatever matches their talents and inclinations; this is the natural and intrinsic basis for specialization and division of labor. A sound society capable of growing is one whose traditions and positive laws conform to these talents and intrinsic tendencies. Jobs and responsibility should be divided on this basis so that work will be carried out better and better and the possibilities will also be provided for the growth of potentials.

Every group and class in such a society must perform its own specialized task and duty. With the exception of matters related to social issues which are the responsibilities of all classes, they must not interfere in the affairs of others. These types of class distinctions are the basis of a developed and integrated society, and are acceptable and praiseworthy. An unnatural and despicable class society is the opposite of the one described above, in which the division of labor and duties are not parceled out according to acquired and intrinsic talents. As jobs in such a society are not distributed on the basis of merit, specialty, and desires of applicants, its foundation is inevitably built on injustice and is subject to encroachment. Therefore, oppression and injustice, in their various forms, obviously are normal and permanent features of life. Such a society structurally is composed of vertical and horizontal classes each of which has

privileges and special rights; the members of each class enjoy privileges and positions which are prerogatives of that class through inheritance, tradition, and law. On the basis of class privilege and rights, individual talents have no social value. Those who are the heirs of the upper classes, no matter how base and unworthy, will take charge of positions which are influential and important to public destiny. And those who are members of the lower classes, no matter how capable and intelligent, have no right to take positions for which they are qualified: They are constantly controlled and held in subjugation by those who lack intelligence and a perception for what is in the public interest and welfare.

Any clear-sighted person with accurate perception and an active conscience, and who is not intellectually the victim of such a system, understands full well that such a social system is unnatural, topsy-turvy, tyrannical, stagnant, and unable to progress and integrate. That is the reason public-spirited reformers in every class in all times and places have tried by different means to destroy such a system and construct a sound and natural order. They rarely have been successful, however. The fact that class distinctions in various forms and degrees prevail everywhere today is testimony to their failure. Although there is no doubt about the good intentions of these reformers, their failures reveal that the real reasons for the appearance of such corrupt and deviant systems have not been discovered and solutions to correct them have not been studied as they ought to be. Each reformer has seen the causes, the effects, and the cure from his own perspective. Such discussions concerning social justice originate in the ideas advanced by the ancient Greek and non-Greek scholars and other reformers, and we have given examples earlier of their ideas and opinions and there is no need to discuss them in detail here. We will only examine the views and solutions presented by the collectivist economists. This group with its particular way of thinking contends a chaotic economic situation and uncontrolled capitalism are the sole origin and cause of the appearance of privileged classes. The solution according to this view is also clear: when capitalism is destroyed at the root, which is private ownership, or at least controlled, the despicable class systems will also be destroyed. Marxism proposes a more practical solution: according to it the only way to eliminate capitalism is through a revolution and the establishment of government of the proletariat. This view, however, amounts to an acknowledgment of the present class system. Only God (or historical determinism) knows what would happen after that. Marxism either has no clear and decisive way to eliminate the new class it creates, or its solution is not apparent. What is apparent and can be understood is the dominance of the military class and the bureaucracy.

A look at the mainfest present state of the world as well as the past shows that the principal and exclusive cause of the emergence of the privileged class is not the economic system. We can see class groupings in history and at the present time which enjoy legal privileges but are often without economic privileges. We can see military classes both in the past and the present that have

had and do have special privileges and authority and who economically resemble or are more restricted than the lower classes. The same thing is true of the bureaucrats and other classes who enjoy special privileges more important than economic privileges. In the past, when tribes were more numerous and powerful, they conquered each other on the basis of the strength, physical toughness, and the degree of loyalty to their chiefs or *sheikhs*. They would then attack a country, or in the case of the Mongols, more than one country and following their victories and conquests would form a government and acquire privileges. These privileges would pass on to their children after them as tradition. This way a class would become special and distinct, and other classes would form a suitable hierarchy. This situation would persist until a new wave destroyed the dominant class along with other classes and its supporters; then new classes with the same characteristics would emerge in a different form. The upper classes with their special privileges and rights, which would be established as traditions and laws, would control public and private property and acquire unlimited wealth just as they had dominated the lower classes and owned them as slaves or semi-slaves.

Today the military class, because it is disciplined, cohesive, and armed, is a special powerful class with rights and privileges. In most collectivist countries this class is the most important one. In capitalist countries it is the force for protecting capitalism within, and imperialism practiced outside.

From this study, which is supported by historical evidence and social indicators, we conclude that power, either in the form of military armaments or capital, is the source of classes and domination. The classes remain in society with their special rights, through inheritance and tradition. A question left unanswered is, what is the source of the power of individuals or classes? The answer is that the talents and mental and physical superiority of individuals, tribes, or groups are the main sources of power. Those who possess these qualities should have special status in society so that every capable person will have a place in society in accordance with his ability. To this extent, class distinction is acceptable and indeed necessary. What is abhorrent is when prerogative, rights, and special rules for this class and its heirs and supporters places them above the law, or makes them the source of laws, and gives them control of people's lives and wealth. Special positions change hands among them. Others have no right to a free life in comparison to them and the way to growth, progress, change, exchange of positions, and advancement to higher employment is blocked for them.

To eliminate legal and class monopolies and privileges, laws which are above despicable customs and special privileges should be established and enforced. Reformers and public-spirited people of the world have presented laws and principles which provide freedom and participatory rights for all people. They have concluded empirically and through experience that without democracy collectivism in its broad and true sense does not materialize and



grow.

Another ambiguity that can be seen (and should be pointed out here) is that laws, no matter how well and comprehensively written, are not free from the taint of class distinctions. Suppose that lawmakers are able to free their minds of class prejudices and undertake to legislate just and comprehensive laws. It has been shown that at the actual stage of composition and implementation the laws will not be free from class prejudice: the instinctive quest for privilege, inherent in human nature either consciously or unconsciously, would influence the content of laws. It may not be easy to detect the taint of class privilege in the laws at first glance. However, the taint of class privilege in them will gradually become apparent and, as in the past or in other ways, they will become the basis for other future social privileges. If we consider this truth and obvious reality with a broad view and an open mind we have to acknowledge that the apologists are those who only heed and place their hopes in human thought and intellect. Those who have opened their minds to sources beyond human intellect will have no need to justify themselves or become perplexed.

The proposition that the sources of Islamic law are beyond human intellect has been discussed in detail. Therefore, by their very nature they cannot be tainted by privilege. Furthermore, since they should, in practice, be based on faith and since its principles are firm and enduring, class deviation has no lasting effect on them and cannot turn these laws away from their principles. Whatever deviations have occurred are the result of adapting these principles to personal inclinations and whims. No deviations have influenced the principal injunctions and laws of Islam. This point becomes visible and clear when we disregard the imitative practices of pseudo-Muslims and concentrate as much as possible on the verses of Qur'an, the principal injunctions of Islam and the practices of the founders of Islam. Such a study reveals that no case of privileges (for one group over another) can be found in Islam. It is hard to believe that in the environment of a comprehensive Islamic society class privileges have or can become the center of gravity. Even if we disregard this significant truth of Islam and share the views of the contemporary collectivists in taking economics as the main sources of class distinctions, the conclusion does not change: in an Islamic economic environment, as was discussed in detail, there is no opportunity for the growth of privileged classes.

Military classes, which in all times and places have enjoyed privileges and class distinctions, have no place in any special sense in an Islamic government and society, because fighting in defense of one's territory is incumbent upon all Muslims who are able to do so. Specialists in military affairs and leadership are very few and far between in Islamic societies. They are subject to laws and government but have no legal or financial privileges.

Religious classes have also enjoyed special privileges among all nations. Indeed, they were able to grant privileges either within or beyond the boundaries of laws to other classes (e.g., rulers, aristocrats, and the wealthy). They con-

sidered themselves the inheritors or the possessors of Divine power, and heavenly attributes, and exempt from the possibility of blame or error, and communicated this to the common people. Any objection to their behavior was considered heresy and apostasy. These people had such privileges in all religions and nations and were considered special class with privileges that they could pass on to their descendants. The religious leaders (*rohaniyūm*) in Islam, however, particularly, in shi'i Islam, are not a privileged class enjoying personal, financial, and legal advantages. They have no claim to heavenly attributes and Divine power. The basic attributes of *rohaniyūm* in Islam are only two things '*edalat* [righteousness],<sup>1</sup> and the power of *ejtehad* [independent reasoning]. Because of these two attributes the Islamic clergy consider themselves subject to Islamic injunctions and teachings in the same way as other Muslims or even more so. The same injunctions apply to everyone and no class is exempt from them. Muslim masses should judge the Islamic religious leader ('*alem-e Islami*') according to these two attributes. If someone dresses oneself in religious garb but lacks these attributes and acts outside of the limits imposed by righteousness and piety, he is considered by Muslims a usurper of the rights of the leaders of Islam and a plunderer of religion and the world. They consider his expulsion a necessity and a religious duty.

The three classes, the religious, military, and the wealthy, have more privileges and are more deeply rooted than other classes. Other classes stem from them and the rulers and the courtiers are either from among them or are supported by them. Because Islamic principles and laws abolish class distinctions and prohibit their emergence, government and administration by a special class has no place or root in Islamic communities. On the other hand, Islam has its own special injunctions and principles of government. According to these principles and injunctions, individuals and dynasties who, contrary to these principles and injunctions, have ruled Muslims as caliphates or other entities have been regarded as aggressors, usurpers, and unlawful. That is one of the reasons these governments were unstable and constantly changing. Dynasties of the so-called Islamic caliphs and rulers who ruled for a while preserved their positions by pretending to be religious, appealing to clan prejudice or taking on racial coloration. The Umayyads, for example, based their rule on Arab nationalism and religion, and the Abbassids considered themselves the just inheritors of the Caliphate and relied on Iranian nationalism versus Arab nationalism. The Ottomans relied on Turkish clan spirit and Islamic Caliphate. The Safavids relied on Sufism, Shi'ism, and Iranian nationalism to hold off the Ottoman Empire. These people, who were the most durable rulers and caliphs after the emergence of Islam, seated hundreds of rulers on their thrones throughout all the Islamic countries during the thirteen centuries after the rule of the first caliphs (632-661 A.D.). But because they established their power on shaky ground they were toppled before they even consolidated their regimes. The lack of stability becomes quite clear when the



rule of Islamic governments and caliphs and their successors are compared with those of non-Islamic ones in nearby and bordering countries, such as India, China, Japan, Russia, and European and other Western countries. Why is it that Sultanates and governments of this type never took root among Muslims while they lasted for many years among non-Muslims? Because governments must either rely on public opinion or classes. In Islamic thinking and Muslim society there are no such firm foundations. Even if a government fooled people for a while by assuming a religious guise its true face finally became visible. If they formed a class for their own protection, it had no social basis among Muslims. Nationalistic and racial prejudices hold no sway and are even condemned in Islamic teachings. Privileged classes as well as governments derived from them have not had the roots, foundations, and perpetuity in Islamic environments that they have had in other countries. The features of this reality can be seen clearly when class situations in Islamic territories are compared with those of other territories, and when the situation in Islamic territories is compared before and after the influence of Islam.

The class system was so deep rooted and vigorous in Rome and Greece before the advent of Christianity that even the great philosophers and reformers who arose to rectify social condition could not change those tyrannical and inhumane conditions. Most of the reformers were themselves influenced by those conditions and proposed their reformist views within the framework of the existing class structure. Class privileges were so strong during the long history of these areas that the common people and the lower classes were either officially slaves or, if in theory free, had in practice no autonomy or freedom in their own work, production, life, and death.

The uprising of His Holiness the Christ and his social class was directed against racial privileges among the Jews and the privilege of rulers and aristocrats. After the spread of Christ's message by his apostles and the support of the oppressed and tormented people the bases and sanctuaries for class privileges and their structured framework were either weakened or completely fell apart. But because the roots of class privileges were not destroyed and Christianity did not transcend beyond preachings and call to faith and because it did not contain specific and codified judicial injunctions, class privileges with the aid of the Church reemerged later in a more oppressive and hideous manner. Consequently, societies were constituted of three distinct classes: the aristocracy, the clergy, and the masses. Within each class were other subclasses who had to be subordinate to the class above. The clergy, the aristocracy, and the rulers generally had mutual cooperation and strong association. They saw their power as suprahuman and saw themselves as having divine authority over people's bodies, souls, and wealth. In the name of Christ, they called on the destitute and the poor to exercise patience in the face of oppression and poverty. They promised people rewards from God in exchange for their humility before the tyrants and the wealthy. It was as if they considered Christianity a



tool for gulling the people and amassing wealth and power for themselves and the rulers. In order to influence people and plunder their wealth, the clergy allied themselves with governments and the aristocracy. These groups supported each other; the governments resorting to bayonets and laws and the clergy using religious deception. These few who were faithful to the spirit of the teachings of Christianity and considered it the source of virtue and justice did not dare to speak out; those who did were either exiled, put into prison, or put to death.

The European aristocracy consisted of the wealthy, landlords, princes, and courtiers. Most of them were ignoble and inconsequential people who did nothing but plunder the fruits of labor of farmers and workers through intrigues; they ruled idiotically and enjoyed unrestricted pleasures. Backed by governments and laws, they treated people any way they desired. If there was an uprising or resistance against the exploiters, they became vicious and vengeful and butchered so many people that wild animals looked noble in comparison with these beasts in human form.

The social situation in Eastern countries was no better than that in the Western ones. The class system had been rooted for a thousand years in these territories. Privilege and class distances based on customs, natural conditions, and inheritance were so diverse in India, the land of wonders, that the delineation of their levels, characteristics, and vanities needs an independent branch of sociology. Some sociologists have distinguished more than two thousand different, distinct, horizontal and vertical classes among Indians, each with its own way of life, characteristics, ethics, architecture, clothing, language or dialect. At the head of each vertical class, there were aristocrats, landowners, and princes who had special privileges. As one moved down the ladder privileges decreased. At the bottom of the ladder were the Untouchables who were more restricted than slaves. They had no right to have relations with outsiders of their own class or to reside in the neighborhoods of other classes or to use their roads. Whoever made contact with them or ate with them became untouchable!! Despite the social development which has occurred in India, and all her contemporary liberationist regimes, there still exists class coloration in that country, particularly in villages, to this day. Class situations in various similar forms constituted the social systems of China, Japan, and other neighboring countries and also in Russia before the Revolution.

Iranian society before Islam was composed of three classes: the clergy, the military, and the farmer. After the introduction of crafts the artisan class was added. The rulers and courtiers were above the class system and the clerks and scribes were attached to them. The privileges of each class belonged to itself and its offspring. A class was never degraded or upgraded. The privileges pertained mostly to jobs and status rather than wealth or property. Only the privileges of the village headman and the landowners were related to property and land. Therefore, lower classes such as merchants and artisans were fre-

quently wealthier than the upper classes. The time would come when due to budget deficits, the kings or military leaders and the aristocracy would borrow money from the merchants and tradesmen.<sup>2</sup>

In the Arabian Peninsula, before Islam, class conditions and the attendant privileges took a special form. There was no system of government in the heart of the Arabian Peninsula of the type that was common in that period. There was no basis for land ownership and expanded capitalism. There were nomadic Arabs who had a tribal system and followed their sheikh (tribal leader) all around the desert. In cities with cultivated lands, such as, Yathrib (later Medina) and Ta'if, the rulers and privileged classes were mostly landowners. In reality, Arab spiritual leadership and the privileges of its elite belonged to the residents of Mecca; and the guardians of the Kaaba of whom the highest-ranking were the Quraysh followed by their dependents and allies such as the tribes of Khaza'a, Kanana, Thaqif, Hasham and Bani 'Amir. Because of the special honors and privileges they had, they were all called Homs (meaning honored people with high and firm positions.) The first privilege was permanent hereditary guardianship of the Kaaba. Later the guardianship of the Kaaba was expanded to include the custodianship of the key and the cover of the Kaaba, and the distribution of water and food became privileges as well and were divided among the branches of the Quraysh tribe. Later the leadership of the military forces and the responsibility of handling the affairs of peace and war were granted to the Quraysh as well. During the time of Qusayy ibn Kilab<sup>3</sup> Dar al-Nadwa was established. It was a place close to the Kaaba where the leaders and wise men of the tribes gathered to discuss important matters. The directorship and membership of Dar al-Nadwa also were granted to the Quraysh and the Arab chiefs who became the sources of other privileges and secondary advantages. For instance, following the spread of idolatry, the idols of the Quraysh and those related to them had special titles, positions, status, figures, and forms, e. g. Ba'l, Habal, 'uza, Lah and Manat. These idols took the form of particular figures and were installed in and around the Kaaba. Other Arabs had neither the right to build similar idols nor could they place their idols inside or around the Kaaba. They had to prostrate before the Qurayshi idols and worship them. The Qurayshis, however, did not worship other people's idols. They considered themselves superior to their neighbors and companions. Other Arabs could not sit and ride in the company. During the pilgrimage season and the state of ritual purification within the holy precincts of the Kaaba (i.e., *ihram*), Qurayshis were the only group who had the right to enter their own home using the entrance door following the ceremony. Other Arabs had to get inside their home using either the back door or through an underground tunnel. (Most of the interpreters of Qur'an believe that this verse "It is not right that ye go to the house by the back thereof (as do the idolaters at certain seasons)" (II: 189), refers to this custom of the Quraysh.) The Quraysh separated themselves from other pilgrims and Arabs in 'Arafat

and Mash'ar. They would not camp or travel with other Arabs and did not travel with the common people. The verse "Hasten onward from the place whence the multitude hasteneth onward" (II: 199) is a command to the Arab aristocracy to join other pilgrims.

Despite all the privileges of the Quraysh and other Arab aristocrats, class condition and distinctions in Arabia were not like those in other lands. The privileges of upper class Arabs that enabled them to rule over others and infringe upon people's lives and plunder their wealth did not stem from governmental and legal prerogatives or military wealth and power. The privileges of the Quraysh stemmed from the guardianship of the house of God, its defense, and hosting of pilgrims. Other Arab aristocrats and chiefs had the same customs. Therefore, these privileges were relatively natural, acceptable, and respectable from the viewpoint of the majority of Arabs. On the other hand, since the Arab relied on his sword and spear and took refuge in the desert with his tribe, the notion of accepting tyranny had no place in his mind. He never submitted himself to slavery and subjugation as long as he lived. Consequently, the slaves of this area were either homeless and destitute or people from other areas.

The Arabs did not know about science and civilizations of neighboring areas. Natural conditions, open lands, clear sky, and harsh living conditions, however, provided them with certain advantages and privileges. Protected by the desert, Arabs were immune to outside aggression, violations, and infiltration. The occasional aggression of neighboring countries resulted in the aggressors' own defeat and withdrawal. The mobilization of forces and invasion by Abraha to destroy the city of Mecca and the Kaaba and his unexpected and extraordinary defeat added to the respect for the Kaaba and enhanced the prestige of the Arabs. Arabs had natural intelligence and keen sense. They also took lessons from nature. They expressed their innate understanding clearly and thoroughly. Under the protection of the desert, the Arabs had preserved their race, nationality, and heritage completely, clearly, and proudly. Not living under the pressure of any government or law, or classes, and relying on his own power and his tribe, he was not intimidated, overpowered, or dominated by any power. With privileges of this kind the Arab saw himself superior to other nations, no matter how magnificent they were with their art, science, and civilization. For the Arab in a desert where his vision was unrestricted in all directions, drinking the milk of camel and sheep, eating plants and the meat of animals, riding camels, and carrying swords and spears were preferable over living in cities within closed walls and fortresses, and becoming subject to laws and rules of government. As a result the Arab saw himself as beloved and others as wretched; himself as free and others as slaves. By claiming to be Arab, who were known for their rhetoric, he was proud; and he called other nations, particularly the Iranians, *'ajam*, which literally means tongueless and mute. Possessing these just or unjust privileges the Arab had so much pride and ar-



rogance that he submitted to no laws or constraints and devoted himself to no science or art. Reformers and scholars, like laws and regulations, had no place in the heart of the peninsula either. If there emerged a reformer or scholar in some remote area, he did not dare to speak his mind.

The commander of the faithful, Iman' Ali, peace be upon him, in his sermon when he returned from the battle of Saffeyn<sup>4</sup> presents such a clear picture of the *jabeliyat* (the Age of Ignorance) that the reader can imagine himself among those people! At the end of his speech, after elaborating the principles of the pagan society that existed before Islamic society (which also apply to today's society), he describes it as "a country where the learned have to keep their mouths tight shut and where the uneducated and ignorants rule" (*Nahjul Balagha*, Sermon # 4, p.7). This phrase is a short and comprehensive explanation of the condition of the pre-Islamic pagans; a society where the learned is a *mofjam* (bridled and muzzled) and the ignorant is a *mokarram* (honorable and dear)! In the commander of the faithful's sermons and words, the situation of the Arabs is made evident in various ways. They are mostly descriptions and explanations of the arrogance, conceit, and ignorance of the pre-Islamic Arabs! With his extreme prejudice that he used to preserve his hereditary privileges and that unruliness and arrogance which was in his blood, the Arab could not submit to any social, ethical, legal, and ideological system.

Islam emerged to proclaim the message of *tawhid* [the unity of God] among the Arabs with all of their waywardness, prejudice, conceit, and disorder. It came to convert the rebellious people and those who called the people into servitude and idolatry to submit to God and His laws. It came to help the disinherited and the slaves to rise up. It came to destroy class distinctions and legal privileges. It came to make everyone to return to his human essence which is that of God. "(We take our) color from Allah, and who is better than Allah at colouring" (II:138). It came to make the religious laws of the Creator the dominant laws among the people and to eliminate the grounds for the growth of classes and privileges. In such an environment and society the Qur'an declared:

O mankind! Lo! We have created you male and female, and have made you nations and tribes that ye may know one another. Lo! the noblest of you, in the sight of Allah, is the best in conduct. Lo! Allah is Knower, Aware.

(XLIX:13)<sup>5</sup>

The assertion of divine unity, "There is no god but God," is the slogan and banner of Islam, which purifies souls of idolatry and the desire for privileges, joins human wisdom to the Absolute Power, Wisdom, and Justice, and drives idols and idolmakers in their various forms out of the Islamic society. Islamic injunctions are expounded for the same purpose and the declaration of wars "in the path of God" is to achieve this very aim. Islamic gatherings, from

the congregational and Friday prayers to the *hajj*, exemplify the superiority of piety, the sovereignty of God and His laws, equality before religious laws, elimination of existing privileges, and the rejection of class oppression and its psychological and spiritual effects.

On the day of the conquest of Mecca at which Islam gained total victory over polytheism, [Muhammad] the messenger of God, after annulling honors and privileges in the House of God (Kaaba), concluded his first sermon with the following words: "Oh mankind! Beware that you are the descendant of Adam who was created out of clay. Beware that 'the noblest of you, in the sight of Allah, is the best in conduct (XLIX: 13).' To the Arabs lineage and dependence on family do not bring piety. Lineage will not bring noble stature to the one whose actions prevent him from elevating himself."<sup>6</sup> The Prophet reiterated these same principles in the last year of his prophethood and last pilgrimage. After every sentence he encouraged the people to spread his word. Among other things, he said: "The honors and privileges of the Age of Ignorance have been eliminated, with the exception of one right, to distribute water during the pilgrimage and the custodianship of the Kaaba." He also added: "The Arabs have no superiority over non-Arabs except with regard to piety."<sup>7</sup>

After the victory at Mecca and the declaration of a general amnesty, the first command of His Holiness was to order Balal, the black Abyssinian, to climb onto the roof of the Kaaba and give the call to prayer. Balal, being a slave, black, Abyssinian, and non-Arab, was considered the most worthless and unacceptable of all people in the eyes of the Arabs and the Qurayshis! In the view of the messenger of God, however, since Balal had perceived the truth sooner than a great many other Muslims and possessed faith and a record of participation in the holy wars, he was superior. The Prophet elevated Balal to the highest stature, "the roof of Mecca," and delegated the task of proclaiming the most precious call for congregation (the *azan*) to him!

The swords of Muslim crusaders shone over the heads of the Quraysh and the earth trembled beneath their feet. The dust of defeat had settled on their astonished faces when suddenly the sound of Balal calling, "God is great," arose from the roof of the Kaaba. The amazed Qurayshis who had lost their privileges and idols, now saw the Abyssinian Balal on the roof of the Kaaba and heard the call to prayer over their heads! Their breath was so taken away and there was so much anger and sorrow accumulated and trapped in their hearts that they did not dare to say a word. A few of the sad and defeated Qurayshi nobles and their allies gathered in a corner, put their heads together and consoled one another in whispers. They spoke softly in short sentences which showed their pain and discomfort. 'Atab ibn Asid said: "Thank God for taking my father away so he could not see such a day!" Harth ibn Hisham said: "Could not Muhammad find any other *muazzin* than this crow?" Sohil ibn 'Amr said: "God will alter whatever He wishes." Abu Sufyyan said: "I say nothing because

I am afraid that the Creator of the heavens may inform him [Muhammad]."<sup>8</sup>

After the victory at Mecca, the establishment of Islam, the defeat of polytheism and idolatry in the Arabian Peninsula, and the defeat of the privilege-seeking classes, all privileges of the Age of Ignorance were eliminated. One privilege, that of piety, remained. The verse "The noblest of you, in the sight of Allah is the most pious" (XLIX:13) pointed to piety as the source of faith, spiritual will and worthiness, i.e., adherence to the truth, commitment to Islam and participation in the crusades, and life and property expended for their advancement. Consequently, the Mohajerin had superiority over the Ansar and the Ansar over others. (None of the marks of superiority, however, resulted in any financial or legal privileges.) Important positions and military leadership were given to those who had more piety and worthiness. 'Usama ibn Zayd, for example, who was young and the son of a freed slave, gave orders to the leaders of the Ansar, Mohajerin and Quraysh, and to older men.

In that Islamic community, the central gathering place was the mosque. The concluding and contracting of affairs, consultation, mobilization of forces, designating leaders, deciding on strategies, legal and military training, and teaching of injunctions all took place in the mosque. They would sit on the floor in a circle; there was no lower or higher seat. New comers or representatives of other tribes and nations could not distinguish the messenger of God from the others since he had no special clothing or seat! Wealth was distributed equally. All houses looked alike. The Mohajerin and the Ansar concluded a pact of brotherhood. Each Muslim was responsible for implementing the injunctions and regulations. Based on the injunction "enjoining the good and prohibiting the evil," which is one of the most important duties incumbent upon a Muslim, all Muslims were responsible for one another's actions. The general responsibility for actions and implementation of injunctions, which is the acceptance of "enjoining the good and prohibiting the evil," makes it incumbent upon Muslims to know and distinguish good from evil and impermissible acts. Each Muslim has the right, indeed the duty, to intervene in public affairs and to discern whatever is in the best interest of the people and to speak out and express an opinion and to prevent deviation and sin, even if the sinner and deviant is a ruler or the caliph. This public participation and responsibility is the secret of the superiority of Islamic society and community:

Ye are the best community that hath been raised up for mankind. Ye enjoin right conduct and forbid indecency' and ye believe in Allah.

(III: 110)

And there may spring from you a nation who invite to goodness, and enjoin right conduct and forbids indecency. Such are they who are successful.<sup>9</sup>

(III: 104)

Those Muslims who had received faith in their hearts and cleansed their



spirits and minds of all forms of paganism constantly strove to eliminate prejudice and privileges from the minds of other Muslims. They worried about a return to pride and prejudice.

In that Islamic community, following the conquest of Mecca, the newly converted Muslims who were still contaminated with polytheism and pre-Islamic influences, were deprived of the right to hold social offices. This was done to block the growth of pagan polytheism and privileges under the guise of Islam. The most respected Prophet constantly worried about the possibility that the Quraysh and the Umayyads might take Muslims back to the days of paganism in the name of Islam and recover their lost privileges or that the Arabs might seek privileges and status when they went to other lands in the name of helping the prophecy and spreading the power of Islam. As a result, periodically during his prophethood, while expounding the principles of prophecy at large assemblies (such as the conquest of Mecca, the last pilgrimage, the gathering at Kheyf Mosque, and before his death) His Holiness discussed equality before the law, Islamic solidarity, elimination of racial and tribal privileges, superiority based on piety, and understanding Islamic teachings and implementing them in various ways. Here are some examples of his sayings:

"Arabs have no superiority over non-Arabs except in piety;" "... you are the descendant of Adam and Adam was created of clay. . ."

"The believers are brothers. They are equal and even the lowest of the low must try to implement his duties."

Before his death the Prophet willed: "For the fear of God! For the fear of God! Do not seek to violate God's commands concerning His domain and His slaves." He then recited the following verse: "As for that Abode of the Hereafter We assign it unto those who seek not oppression in the earth, nor yet corruption. The sequel is for those who ward off (evil)." (XXVIII: 83).

Following the death of the respected Prophet, peace be upon him, and the crisis of succession, the rejected leaders of the Quraysh and other Arabs tried to use the crisis to reinstate class power and privileges prevalent in the Age of Ignorance. The commander of the faithful, 'Ali, peace be upon him, who was the supreme example of Islamic training and uncontaminated by polytheism and fear of paganism, although he was living in seclusion, kept a vigil at all times so that pagan privileges would not reemerge.<sup>10</sup> Abu Sufyan, the chief of the Umayyad, whose heart was contaminated with polytheism and paganism but who was outwardly a Muslim, imagined that he saw an opportunity to take the Muslims back in time and reinstate the last ascendancy of the Quraysh. To that end he came with Abbas, who was himself one of the prominent chiefs of the Bani Hashim tribe, into the presence of the commander of the faithful (peace be upon him) and extended their hands to swear their allegiance to him. Abu Sufyan said: "O! Why are you sitting down doing nothing. If you wish, I will mobilize infantry and cavalry forces." Angered by this suggestion, His Holiness stood up and said: "O people! When you see revolt and anarchy rag-

ing like storms try to find a way out to escape their injurious effects. Avoid the ways of hatred and malice, and do not let a superiority complex drive you toward class war." (*Nahjul Balagha*, Sermon # 9, p. 10). These words disappointed Abu Sufyyan and put him in his place.

For a while at the beginning of the rule of the first caliphs, there existed no financial, legal, or class privileges. Positions were given to men of piety, faith, and insight. Public wealth was distributed equally. Penal injunctions against criminals were enforced equally regardless of family background." But at the time of the second caliph ('Umar, 634-648 A. D.) Arab privileges and habits reappeared under the caliph and his supporters. They became increasingly contemptuous of the new non-Arab Muslims and reduced their social and property rights. It was not long before the second caliph granted the Mohajerin, who were mostly Meccan and Qurayshis, more financial privileges than the others. He appointed Yazid ibn Abu Sufyan and after the latter's death, Mu'awiya ibn Sufyan, to governorship of Trans-Jordan. Although these people were unacceptable to Islam and the Muslims, these ominous appointments helped the power seeking and ignorant Umayyads to consolidate their position in Trans-Jordan, far away from the center of Islam. They distorted the true essence of Islam. During the caliphate of 'Uthman (648-656 A.D.) the Umayyads and their allies, the Qurayshis (with the exception of Bani Hashim), and other friends, through deception, conspiracy, and the sword, dominated the life and wealth of Muslims throughout the Islamic countries. With the help of Marwan ibn Hakam in Hijaz and Mu'awiya in Trans-Jordan, 'Uthman monopolized wealth and positions on behalf of the rejected and reactionary Umayyads.

The government of the commander of the faithful, Iman 'Ali, peace be upon him, emerged from the bloody revolutions of the people of Medina, Kufa, and Egypt. In solidarity with the deprived and suffering people, who were firm believers in the principles of Islam, the Imam's government was successful in eliminating the reactionary character of the pagan system and establishing Islamic social justice. It was only for accepting this heavy responsibility that His Holiness accepted the rulership. This is what he said in his sermon known as *Shiqshaba* after delineating the deviations and various aspects of the previous governments:

I swear by the Creator of this universe that had they not sworn unconditional allegiance to me; had they not shown unbounded thankfulness in my accepting their rulership; had not the presence of helpers and supporters made it incumbent upon me to defend the faith; had God Almighty not taken a promise from the learned doctors of theology to put a check upon the luxurious and vicious lives of oppressors and tyrants as well as to try to reduce the pangs of poverty and starvation of the oppressed and the downtrodden; and had He not made it incumbent upon them to win back the usurped rights of the weak from the mighty and power-

ful, I would even now have left the rulership of this state and would have allowed it to sink into anarchy and chaos as I did during the early days . . .

(*Nahjul Balagha*, Sermon #7, p. 10)

And in a sermon at the beginning of his caliphate he prefaced the program of his revolutionary regime with this sentence: "I hold myself responsible for what I say . . ." Then after a few sentences, he continued:

Beware that you are being spiritually tried at this hour and you will find hardships, perils, and calamities reappearing in the same forms as befell you at the time when God first ordered our Holy prophet (may peace of God be upon him and his descendants) to deliver His Message and to propagate Islam.

I swear by Him who appointed Muhammad (may the peace of God be upon him and his descendants) as His Messenger and as an apostle worthy of His trust that the existing order and form of your society will be subjected to satanical destruction; its major parts will be violently disturbed and its various sections will be mixed up, till the lowest and the meanest amongst you will find themselves in lofty places, and the exalted, those who from the time of the rise of Islam were very advanced in the service of religion, will find themselves humiliated and persecuted, and those hypocrites who then had been lagging behind and waiting for favorable opportunities will be raised to proud ranks."

(*Nahjul Balagha*, Sermon #20, p. 16).

These are excerpts of his Holiness' sermon delivered at the beginning of his caliphate which are all proclamations of revolution and the changing of the previous situation.

In the first days of his rule, on the basis of revolutionary Islamic principles and to destroy the anti-Islamic system forever, he removed the governors and officials of the previous regime from their positions. He confiscated their wealth and turned it over to the public treasury. In answering those who were worried about the consequences of his practices he said:

By God, if I had found that public money had been squandered even in celebrating marriages and in purchasing slave girls I would have taken them back and would have handed them over to the country, because functions and responsibilities of justice and equity are far-reaching and far extending. One who does not boldly act according to the dictates of Justice and fair play will feel very nervous in facing tyranny and oppression.

(*Nahjul Balagha*, Sermon #19, p. 16).

When a privilege-seeker objected, asking why he would distribute public wealth to Arabs and non-Arab equally, he answered:

Do you want me to seek your help by oppressing and tyrannizing the



people over whom I am appointed (by God) to rule. By God, this will not happen so long as I continue to live in this world and so long as the stars move under mutual gravitation. I can never abuse the power vested in me nor can I be cruel toward human beings. Had it all been my personal property I would have distributed it equally amongst the needy and poor. But it (the national wealth) is the property of God (entrusted to human care).

(*Nabjul Balagha*, Sermon #129, p. 96)

When it was reported to Imam 'Ali that one of the governors of Iran had distributed the public wealth (*fay'*) among Muslims and fighters unequally and had preferred his relatives and the Arabs to the Iranians, he sent the governor a threatening and reproachful letter. He ended his letter with the following:

Remember that all the Muslims who are there or here have equal share in this wealth. Believing and acting on this principle they come to me for their share and receiving it from me they return to their places.<sup>12</sup>

(*Nabjul Balagha*, Letter #43, p. 241)

In another letter full of reproach and threats to one of the governors who had embezzled the public wealth he wrote:

I swear by God that even if it was Hassan and Hussain who had behaved the way you have behaved I would not have shown indulgence to them; they could not have received any favor or consideration from me. I would have taken this money back from them, and would have undone the harm done by them.

(*Nabjul Balagha*, Letter # 41, p. 240).

He wrote to the governor of Hulwan (a province of Fars):

After praise of God and homage to the Holy Prophet (A.S.) let it be known to you that if a ruler develops different inclinations and shows favoritism over whom he rules then his treatment will not be on the basis of equity and impartiality. And this will not allow him to be just and fair to all. But so far as equity and justice are concerned, your treatment of all should be fair and unprejudiced.

(*Nabjul Balagha*, Letter # 39, p. 261)

His Holiness never took for himself from the public treasury more than the share of an ordinary person. And quite often he would open the public treasury and distribute all its contents among the needy. Then he would sweep its floor and return home empty handed! He would not accept any more formality and respect than that extended to an ordinary Muslim. When going to Saffeyn with ninety-thousand heroic Iraqi soldiers, he encountered village headmen and landowners who dismounted before him in a city [Anbar] on the border of Iran and stood with their hands on their chests. He asked: "What are you doing?" They answered: "This is our custom for showing respect to rulers." He said:

"By God! by this action you do no good whatsoever to your rulers; you tire yourself in this world and bring troubles upon yourselves in the next." (*Nahjul Balagha*, Sayings #37, p. 276)

The revolutionary practices and justice of His Holiness forced the plunderers and privilege-seekers of the previous regimes to unite under the Umayyad leadership. First Talha and Zubeyr, who did not gain what they were after, travelled to Mecca by night and gained the support of the mother of the faithful 'Ayesha. They deceived some people from Hijaz and Basra and started the battle of Jamal only to get themselves and thousands of others killed. Then Mu'awiya raised the banner of opposition and obstinacy, assembled all the deposed governors and plunderers and privilege-seekers from all over under his flag, and launched the terrifying war of Saffeyn. Later a group of outwardly faithful but empty-headed people formed the Kharejite party, persuaded by these plunderers. This party stirred up another storm inside the country at the center of His Holiness' caliphate.

Amidst these storms this godly captain kept his eyes on the distant shore and his hand on the rudder in order to guide the ship of justice and truth, which bore the banner of Islamic unity, through the storms to save it from destruction. Although the captain was sacrificed and the ship did not reach the shore or drop anchor, it was not sunk nor did it stop. After his death, his exalted children and followers who knew his aims, his way, and his methods, saved the ship and moved it forward. Eastern or Western men who rose to save God's people from tyranny, aggression, oppression by privilege-seeking classes, and to establish justice and equality, knowingly or unknowingly, had the same goal, path and method.

The distinct greatness of the storm-weathering hero of Islam ('Alî) lies in that, thirteen-and-a-half centuries ago in an unfavorable climate of public opinion and in an atmosphere of violent opposition, he could launch the vessel of justice and salvation which Islam had built. He cleared the path for Islamic accomplishment and leadership and displayed such a model of a just and equal society ruled by truth that, though it was limited, its attainment had not even been imagined by the great philosophers and reformers. To this date, after centuries of human progress and rising population, such a proven model has not materialized in any country.

## ON THE DECLARATION OF HUMAN RIGHTS

The pioneer of human rights [Iman 'Alî] established justice and human rights when the whole world was dominated by the darkness and tyranny of classes and oppressive despots. With the exception of beacons of a few Greek and Roman sages, the West descended into darkness during the Middle Ages. In the latter part of the Middle Ages intellectual, reformist sparks from the

minds of benevolent thinkers from every corner of Western society enlightened minds that ultimately led to revolution. As the result of a bloody revolution, the old system and the social fabric of the previous regime in France was destroyed; the Bastille fell and the people were victorious. The privileged classes and the aristocracy lost their privileges. After that the National Assembly was established, and on August 27, 1789, the general rights of the people were issued in the form of the *Declaration of the Rights of Man and Citizens*. Those who issued this declaration were the heirs of ideas of reformers and philosophers of former centuries, people such as Montesquieu [1689-1755], Voltaire [1694-1778], and Rousseau [1712-1778]. Their principles, which later were incorporated into the *Declaration*, had been growing and were cultivated in the minds of reformist men of truth during centuries of hardship and suffering. They had been elaborated in various ways in books and in poetry and passed on to future generations until they manifested themselves as seventeen principles of human rights.

Its basic message is the recognition of the freedom of all people within the boundaries of social welfare and equality. Corollaries to this principle are the following three: 1) All people are born free and, hence, have equal rights; 2) everyone possesses freedom of thought and expression; 3) the people have the right and freedom to administer the affairs of society. These principles became the source of the seventeen articles, which later became the basis of the Universal Declaration of Human Rights which granted individual freedom limited by the interest of others and the community. This *Declaration*, which was published in the West after the [French] Revolution, became the source of changes and a new way of life in the world. Parliamentary and consultative governments were formed on the basis of this *Declaration*. Various charters and laws for securing human rights were compiled and enacted. All these developments, however, cannot be credited to the *Declaration* alone. The *Declaration* was only a document which served as a justification for nations which were already in the midst of change and social and intellectual revolution which was by virtue of human progress. If a nation is not morally and intellectually developed and does not have a sense of social responsibility for the rights of individuals and groups, what power does this *Declaration* or others like it have?

Soon after the [French] Revolution and the publication of this *Declaration*, class privilege reemerged. In France and in most of Europe absolute power became concentrated in the hands of Napoleon. Another problem with understanding the *Declaration of the Rights of Man and Citizens* which comes to mind is Article VI, according to which "law is the expression of the general will. All citizens have the right to take part in person or by their representative in its formation."<sup>13</sup> The following questions come to mind concerning this principle: Does the article mean the general will of one nation or all nations? If it means the true will of all nations, how can they, with their diverse intellectual and moral beliefs and customs, have a common perception of realities and



the laws? And if the term "public will" refers to the legislative will of one nation (such as France) this declaration cannot be regarded as a universal declaration. Even supposing that a nation has a will, the unification of this will in terms of details and overall structure of laws, and the perception of that will is very difficult, if not impossible.

In short, would the laws conform to actual interest or would they be based on the will of the public? If we consider law as something comparable to a physician's prescription for food and medicine to preserve public health or to cure social and spiritual ill, can it be said the physician must base his prescription on the desires rather than the needs of the patient? Albert Mallet States: "The aforementioned scholars and scientists (of whom the founders of the *Declaration of the Rights of Man and Citizens* were followers) believed that man must constantly conform his actions to the laws and rules of the intellect, which are independent of time and space, and he should comply with whatever is endorsed by wisdom."<sup>14</sup> Does not this proposition contradict Article VI which states that law is the expression of the general will of all citizens?

The second part of Article VI states: "All citizens being equal in its eyes are equally admissible to all public dignities, offices and employments, according to their capacity, and with no other distinction than that of their virtues and talents."<sup>15</sup> This part resembles the verse ". . . the noblest of you in the sight of God is the best in conduct" (XLIX: 13) and is the basis of the nullification of privileges. At the same time, it is apparent that the law must be above class thinking and individual or class desires. (The basis of laws and the necessity for them to be above classes were discussed earlier). Furthermore, since the general will is unlimited freedom can it be the basis for laws designed to limit freedom?

A more important difficulty lies with trying to justify Article XVII. This article states: "Property being an inviolable and sacred right, no one may be deprived of it except for an obvious requirement of public necessity, certified by law, and then on condition of a just compensation in advance."<sup>16</sup> In this article the right of ownership is considered honorable and sacred but its limits are not defined. In cases of public necessity, the limits and characteristics of which are also vague, this right can be taken from someone if reparations are made. Although this *Declaration* was intended to destroy privileges and to establish equal rights and freedom, the unlimited right to ownership which the laws codified became the most effective, if not the only, basis for class privilege. This, consequently, unlimited opportunity was open to the capitalist class. As this class formed and gained power, it dominated the government. A good example of this is the entire Western world and industrialized countries where, despite revolutions and declaration of human rights, the capitalists have replaced the landlords. They have taken over the laws and the centers of power and become sovereign.<sup>17</sup> Later, colonialism darkened the world horizons and deprived people in every corner of the world of their right to freedom in all its

forms.

The Universal Declaration of Human Rights adopted by the General Assembly of the United Nations on December 10, 1948, is also an expanded and more detailed version of the *Declaration of the Rights of Man and Citizens*. This new declaration, proclaimed with thousands of loud, ear-splitting words of propaganda and praise, recognized human rights only on paper. What is even funnier is that the signatories and authors of this document were the representatives of countries who were most blatantly depriving people of their rights. Their armies and patrols, under the banner of freedom, silenced one for justice and freedom with fire and bombs wherever they arose. This was the practical result of the Universal Declaration and the Charter of the United Nations, the results of centuries of struggle, millions of lives lost, and filtration with the ideas of intellectuals.

The scientific and practical principles of socialists and communists have neither eliminated privileges and classes, nor have they established justice and general freedom. What is happening is that they have demolished or are demolishing private property and nationalizing natural resources and the wealth of petty and major capitalists, but to the same extent that they have eliminated these things, they have also aided the growth of bureaucratic and military classes and governmental capitalism whose privileges and authority far exceed those of the capitalist bourgeoisie. With nations coming closer together and with contact at every level between the deprived and the exploited of the world and the emergence of new classes, the struggle has moved beyond the polarization between the proletariat and the private sector capitalists.<sup>18</sup> In fact, the proletariat, in comparison to other classes that struggle against colonialism and subjugation, are a minority. If we consider the proletariat as the source of evolution and change, its ultimate achievement will be the elimination of classes. But can it perform the miracle of preventing the emergence of a new class of which it will itself be a part? The answer, in practice, is negative because the elimination of classes is possible only under the umbrella of general human laws. Laws of this type are not the consequence of class struggle, rather they must rank above class environment or any other type of environment.

## THE MOTIVATION FOR HUMAN STRUGGLE

Observation of innate human characteristics and instincts and investigation of struggles and crusades will show that the roots of human unrest and struggle, throughout history, have not been just hunger and material poverty. One can assert that the most effective motivation for struggle has been possessed by individuals and classes which have no intellectual and spiritual ability of any kind, but which enjoy every kind of material and legal right denied to others. A human being may accept hunger and deprivation, ignore material

enjoyment, and sacrifice his life in order not to submit to humiliation and contempt. Class privileges enjoyed by a united minority are an insult to the majority of God's people. This is intolerable to people for whom humiliation has not become second nature. Therefore, merely changing the class system, providing people with sustenance or making production and distribution equitable, will not secure public approval. The ultimate aim of social struggle is to nullify all privileges and to establish equal rights. A deviation from this aim or limiting it to class struggle either postpones or renders impossible the basic aim; *class struggle does not destroy classes*.

If a people are quiet as a result of their victory over classes, over their weakness, international colonialism, or domestic upheaval, it should not be taken as a sign of contentment or acceptance of the impositions and privileges of newly arisen classes. When international colonialism subsides, the world environment settles down, and the people awaken, their struggle to eliminate classes and privileges will continue and be inevitable. Only just laws which apply to all and are above class, carry the power of enforcement, have the public's confidence, and encourage growth of individuals, can establish a just and equitable environment, make everyone content and happy, and move forward toward perfection and freedom. Declarations made with much fanfare and codification of empty laws which create classes and lead to revolution do not establish equality and liberty in their true and human sense—as understood by insightful minds.

To think and to see correctly one must consider social phenomena and developments from a sensory point of view, because social factors and circumstances are undoubtedly manifestations and reflections of innate characteristics and the senses. No doubt the senses and the spirit are influenced by external environment. If we recognize social and economic conditions in this way we will be able to identify real conditions better and find ways to cure them. But if we see the environment and everything else entirely as the result of environmental conditions and the economy we have both strayed from realities and permanently deprived ourselves of the possibility of finding solutions to our deviations and ills.

Class conditions, like other situations, is the result of human power and desires which are themselves affected to a certain extent by external factors. Self-interest and the struggle for dominance are the main causes of the emergence of privileged classes. If environmental factors and prevailing principles prepare the way for the emergence of this human habit and rebellion against limits and laws, gradually rebellion against and infringement upon other people's rights become a deeply rooted and firmly established habit of this class. Moreover, alienation and subjugation among the oppressed classes become so established over time that the true spirit of freedom and human independence desert them to such an extent that these classes regard their own subjugation and submissiveness and the power and authority of the ruling class



as natural truths. As their sense of natural and inherent rights diminishes, and their impotence and non-resistance against the ruling and privileged classes grow, the natural rights of such people are taken away from them one by one until they all fall into slavery and are bartered and sold like commodities and livestock. In fact, as slaves their rights are less than those of commodities since they are denied the right to give birth, reproduce, eat, and sleep. They are tortured and killed without reason, for vengeance. Even animals are not treated like them.

In view of this obvious fact that needs no reason and proof, we again conclude that the declaration of human rights, codification of laws, and outward changes in society do not secure justice, equality, and freedom which are the natural, inherent desire of human beings. Laws, governing principles, and proper and enlightened education and training are necessary. This is the method employed by Islam. At its dawn, Islam broke all class ties, eliminated servitude of men by men, and destroyed or weakened the roots of slavery.

For those who lack a profound view of current affairs, and especially those whose ears and eyes have been filled and stupefied by western propaganda, these claims are difficult to believe or repeat. These weststruck (*gharbzadeh*) and shallow people read in Western books and publications and imitators of the West that the origins of the emancipation of slaves can be formed in the French Revolution, the *Declaration of the Rights of Man and Citizens*, Abraham Lincoln's Emancipation Proclamation, etc. Moreover, in view of the common practice of slavery among Muslims since the dawn of Islam, and discussions about 'abd [slave] and *ummat* [community] in books on Islamic jurisprudence these people definitely conclude that Islam recognizes slavery while others reject it.

If these gentlemen examine the roots and origins of slavery or class conflict they will understand that slavery or class conflict are not things that can be destroyed by proclamations and declarations or imposition of laws for all places, conditions, and circumstances. As was said earlier, the main cause of these changes is a continuum which has its roots in the thoughts and minds of the different classes. Even if we regard it as being grounded in historical or economic factors again we conclude that the existing conditions and factors must change. Bearing this in mind we now return to the declarations and proclamations.

There is no mention of the abrogation of slavery in the *Declaration of the Rights of Man and Citizens* adopted after the French Revolution.<sup>19</sup> Yes, slavery was formally abrogated in some industrialized countries by special laws after the Industrial Revolution. The real reason cannot be the awakening of compassion and sense of service to human kind, because the Industrial Revolution destroyed landownership and replaced it with capitalism. This economic system needs workers and technicians more than anything else. Following these developments it became more expensive and more dangerous for landlords to

keep slaves and workers. The profit from working in a factory was considerably more than that which accrued from a slave, and was less trouble. More important than this was the opening of ways to exploit and colonize nations, by which the human and natural resources of the native people could be exploited by sending a few political and military groups and bribing a few natives.<sup>20</sup> With this kind of vast slave-taking when they could subdue nations and take over their wealth, existence, and resources, what use had they for traditional slavery? (It is analogous to the practices in the villages. When the landlords acquired trucks, and broad highways to their villages were constructed, they set their donkeys and mules free to graze on their own. Could such freeing of the animals be taken as the landlord's kindness and benevolence!) This is the main reason for freeing the slaves after the Industrial Revolution, and before that the uprising of the slaves and their potential for harrassing landlords made it difficult and expensive to manage and care for the slaves. Is this kind of liberation a burden for humanity, and can it be seen as a defense of freedom? If this is pro-liberationism and humanitarianism, what does one call the massacre of men, women, and children and ruining of cities and villages in Africa and Asia by these "magnanimous and philanthropic" individuals? What were the people's crimes? Had they committed any crime other than wanting to live in their own countries and homes freely and independently?

The Emancipation Proclamation by Lincoln in 1863 initially was resisted by slave owners, slave traders, and defenders of racial privileges, leading to bloody war. Lincoln ultimately gave his life. With all due respect to him and to his philanthropic act, what was the result? Slave trading was prohibited in the United States, and many of the slaves whose minds were not ready for freedom and could not support themselves, after being freed, asked to return to slavery. Despite all these difficulties the buying and selling of human beings was abolished [in the United States].

Since slavery meant that human beings became subject to being bought and sold, dealing in human beings was prohibited. But if slavery was condemned because it trampled human rights, one should note that the trading of human beings is only one of the trampled rights. Are the rights to life, property, choice of a profession and a mate, housing, education, a defense attorney, elect representatives, and serve in government offices any less important than a human being's possession of his physical body? If a human being were asked to choose between owning his own body together with the all these rights or owning his body without these rights, which one would he choose? It is now almost a century since the Emancipation Proclamation was made in the United States, and yet blacks have no rights in the advanced and civilized land of America. Their only sin is that the color of their skins is black.<sup>21</sup> A slave or servant lives in his master's house without responsibility; and he can marry and his life is secured. He is freer than someone who is free in theory but since his color is black he can be torn to pieces with knives and pokers before the eyes of the



police and in the land of the rule of law if he should so much as walk down a street in a white neighborhood. The weststruck people probably consider this a necessity of civilization and of freedom!!

Following in Lincoln's footsteps, the late President Kennedy also wanted to introduce a bill in Congress that would guarantee the lives and rights of blacks. He also lost his life for it. But would the enactment of this law guarantee its enforcement? No one should doubt the good intentions of these liberators. With all the power and popular support that these leaders had, did they think, plan, and act with complete freedom without being influenced by special interest groups, capitalists, and cartels?

Considering that simultaneously with freeing the slaves, the United States unilaterally, so to speak, came out of its isolation and took up international and world-wide slave-taking, one wonders whether the United States did not follow the same policy as that of "freedom-loving" European countries after the 18th century, following the Industrial Revolution? Did not Europe abandon and abolish international and domestic slavery at that time because she no longer needed it and there was no advantage to keeping them? Their domestic forces had to be strong and cohesive in order to go abroad to colonize and enslave nations. Is not the United States following in an uglier manner the same path and procedure in this century despite her claims to freedom? Does she not buy ignoble people to hold dominion over the lives and the wealth of others? Does she not attack other nations with her power and weaponry? Have the nations of Africa and Asia committed any crime other than to say they must be free in their home, and choose their own life and fate? As answer to this human desire must blood, fire, massacres, and torture be visited upon them? What sort of justifications do colonialists have for these acts that reason would accept?

The United States and her Western allies are the heirs and successors to Kennedy and Lincoln and the authors of the *Declaration of the Rights of Man and Citizen*! How appropriate it would be if the infatuated, weststruck people would see all these scenes of crime, suppression of rights, and denial of the simplest freedoms plainly recorded on the pages of history and readily visible today. How appropriate it would be if they read and listened to the way in which blacks are dealt with in the United States and Africa, in the newspaper or on the radio. If they could see how blacks are trampled and dismembered, their bones broken for entering a hotel, a school, or white neighborhood and see signs on hotel entrances that say "dogs and blacks prohibited." They should also go back and look at the Arabian Peninsula of fourteen-hundred years ago when Islam, in its first years, elevated the Abyssinian slave Balal to the highest and most respected social position of the times, that of the *mo'azzen*. This position was, in fact, the position of the commander of the Islamic prayer ranks and congregation. The Prophet, peace be upon him, appointed Zayd and later his young son Asama, who were both slaves and the sons of slaves, as the commanders of the armies in which the Arab chiefs, Mohajerin and Ansar, served as



soldiers. He said: "Even if an Abyssinian slave became your commander and leader, as long as he implements the Divine laws you must obey him!" When the second caliph 'Umar, on his death bed, was giving his views on the caliphate and was naming those worthy of the position for his consideration one by one, he said: "If Salim, the slave of Abi Hazifah, were alive, I would choose him as the new caliph." Nobody objected to such a comment. (Although this kind of executorship is wrong in the eyes of the Muslim public.) Most of the commander of the faithful Imam 'Ali's, peace be upon him, lieutenants and associates were slaves and *mawali* (freed slaves) such as Mitham Tammar.

I have mentioned several brief examples of the position of slaves in the luminous history of Islam in order to compare Islamic slavery with the emancipation of slaves during the century of human progress! Now let us go back to the solution and the final view of Islam concerning slavery. Has it abrogated it, strengthened it, or left it untouched?

Just as this topic is unclear in the minds of those who are not familiar with Islam and its principles, it is also unclear for most of the Muslims, because it has not been discussed much in the past, and it has been some time since it was a topic of habitual discussion. Whatever is discussed in judicial books on this topic relates to side issues and not the basic or general principles. Even our presentation of the topic here relates to that aspect of slavery which pertains to ownership and its class repercussions. Therefore we enumerate on generalities and principles so that it might become the basis for a separate, detailed study. To clarify Islamic views on slavery (or owning human beings) several issues must be noted:

1. Whatever the source of slavery, it is certain that slavery (ownership of human beings) has deep historical roots. No historian or researcher has been able to determine even approximately the time and place of its origins. Narrowing it down to a particular social and economic period is nothing but an estimation at most, and it boils down to ignorance.

2. Slavery was not condemned and detested in any nation of the world for centuries before the birth of Islam and for centuries afterwards. It was regarded as natural and customary. Even the great thinkers and reformers did not oppose it until in the past few centuries. What they recommended and set forth as law dealt with the treatment and rights of slaves. Plato thought of it as a social necessity and Aristotle saw it as a natural phenomenon. In ancient Rome, the center for free thinking, progressive laws, and equal rights, slavery was considered normal and a good thing and had firmly planted roots. As far as recorded history indicates, there was no distinctive view of or effective law for freeing slaves in any place in successive centuries.

3. The source of slavery, whether it be man's habit of seeking superiority or economic considerations to increase production and wealth, does not automatically make the people in one group masters and owners and those in another the possessed and the slaves. Once these motivations ally themselves

with intellectual, physical, and social power, they can deprive a people of their freedom and property, and, conversely, those who become slaves must be weaker and must not have the power to resist and defend themselves. In the beginning of their enslavement those who feel abject and deprived of freedom are unhappy, but gradually these feelings and emotions fall silent in them and slavery becomes a normal state. The leadership and dominion of their masters and their own submissiveness and slavery become so normal for the affected servants, orderlies, and slaves who are outwardly free that it reaches a point where they consider the children of their masters inherently superior to their own children.

Sometimes the habit of feeling despicable and abject reaches a point where the servants see themselves as a different breed from their masters. With this change in feeling and emotion, as was suggested earlier, the slave population considered slavery normal and natural for itself and was content. If we observe the uprisings of slaves throughout history in some lands, the primary reasons and motive for them were the tortures and massacres and not merely the principles of slavery. In one or two slave uprisings, after their defeat their bonds of slavery became tighter.<sup>22</sup>

4. Since the slaves did not own themselves and their labors, they knew nothing but obedience. Learning any art or craft was forbidden to them. Their children also belonged to others. They had no skill. If they were freed they either died or returned to slavery.

5. Slaves were not like other commodities that had to be obtained in special areas either to be used there or transported to satisfy needs in some other place. Slaves were obtained everywhere through war or other means. They were used everywhere by the aristocracy, the landlords, and other privileged classes. Generally, slaves obtained in one land had to be sold elsewhere, and slave trade, subsequently, became an international business. There were traders, dealers, and companies everywhere with equipment such as ships and caravans, and specialists. Slave hunters cooperated and made deals with one another. They gathered or travelled back and forth among tribes and near battlegrounds in order to buy prisoners of war, whose upkeep was a problem for the combatants, at bargain prices, and ship them here and there. With this universality and cohesiveness among slave traders, the prohibition of buying and selling slaves in one or several countries had no effect and could not be implemented permanently.

Considering these matters and other historical, psychological, and economic conditions was it possible for any exalted Prophet or influential reformer to eliminate slavery in a country or universally with a single decree or law? No one more human and philanthropic than Christ, peace be upon him, appeared in the world before Islam. Certainly his spirit, path, method, and speech were opposed to slavery. Were his faithful followers in the Christian countries able to destroy or modify the condition of slavery? In the Middle

Ages, when the Church enjoyed such unrivaled and limitless powers, the protestors got nowhere. Later the leaders of churches themselves acquired slaves and maids, until the advice to slaves to be obedient to their owners and masters became a part of the message of Christian leaders. The following was preached in a French Church: "God had willed that a group of people be masters and another slaves. The masters will praise the Lord and the slaves will praise the masters. This way everyone will be granted salvation."<sup>23</sup>

Although the teachings of Christianity certainly opposes slavery, history shows that following the emergence of Christianity in Rome and Europe, slavery became more prevalent and active in other countries. In the fourteenth and fifteenth centuries southern France was a hot market for slave merchants and dealers, and how often a young and beautiful slave girl would be bartered for some sugar and flour! There were two kinds of slaves in European markets: pure slaves who had no right to marry or reproduce, and citizen slaves who had such rights, but the owner preserved the right to sell or give away his wife and children.

### THE ISLAMIC SOLUTION

In order to weaken the deep roots of slavery and to destroy them, what methods could Islam have adopted? This is the question for those who think rightly and are familiar with the special environment in which Islam appeared and the general state of the world in those days. It would be proper for such people to reflect on this and prepare an answer to this question before reading our presentation of the Islamic approach! A simple and brief solution for Islam would have been to prohibit and banish slavery with a law and a clear decree. Under the existing conditions and circumstances this solution, although enforceable, carried evils and effects which themselves would have blocked the path to gradual and natural abrogation of slavery. The refusal of the slave owners and the confusion and bewilderment which it would bring for the slaves would themselves have become a problem, an obstacle to the advancement of the call of Islam. The non-implementation of such a decree at the outset would have been a weak foundation for the abolition of slavery and would have been quickly abandoned. This would have served as a justification for future generations, which would have said: "Since during the short life of the law giver (*share'*) this law was not implemented, it must be void." In the face of Arab opposition and resistance to propagation of the message His Holiness, the respected Prophet, had to spend a few years of his life solely for the purpose of spreading and universalizing the principles of Islam and for firmly establishing the roots of intellectual, moral, and social changes for all times and places, encompassing all aspects of life.

Injunctions, which are not easily accepted, cannot be easily implemented,



or face opposition, must be gradually elaborated and implemented. That is the way Islam or any other law or reform movement would work faced with opposition and contrary to people's inclinations. The final prohibition of wine-drinking and usury, and the establishment of fasting or *jihad* were implemented gradually when Muslims were ready for them. The custom of slavery and its roots and implications were deeper than the practice of usury and wine-drinking. Abolition of slavery, therefore, required more time than the natural life span of the exalted law giver. Just because slavery could not be eliminated in the initial period with a clear decree, did Islam have to abstain from expressing its views on it?

If we accept the idea that Islam is not restricted to any particular time and place, that it is for all times and places, that it deals with what is relevant to the fate, the happiness, and the good of mankind ("We sent thee not save as a mercy for the people" XXII: 107) then Islam cannot be without a viewpoint on slavery, a perfect example of injustice and transgression against humanity, nor can it support and affirm it.

Let us now see what method Islam adopted for uprooting slavery and eliminating its principles. Islam's particular method regarding this was built upon three principles:

1. *Elimination of all Privileges.* Slavery is a manifestation of legal and racial differences and distinctions. With regard to the elimination of class privileges, as has been discussed in detail, in the call and proclamations of the Qur'an humans are addressed alike. All are called upon and required to heed their rights and those of other people in order to purge the concept of privilege from their minds and thoughts, to enable those who seek superiority to identify themselves with others, and to enable the condemned and deprived to recognize their human rights and to rise above submission to others. Then injunctions and laws are expounded which are for everyone, before which all are equal, with differences in responsibility based only on differences in physical and intellectual growth.

The sermons of the Qur'an, where they pertain to the general call for human rights, begin with "O mankind," e.g., "O mankind! Lo! We have created you male and female" (XLIX: 13) or "O mankind! Worship your Lord, who hath created you" (II: 21). Such calls call attention to human rights and responsibilities so that everyone understands such rights and that color, race, wealth, and power are not used for the purpose of attaining superiority or ignoring the rights of others. Everyone must know that he is a creature of God and remove the yoke of slavery from the necks of others. The monotheistic verses of the Qur'an and the monotheistic call of Islam are invitations to freedom and revolt against polytheism and enslavement by anyone other than God. Where special responsibilities are discussed, they are either addressed to believers, men or women. No legal sermons or warnings are directed to any particular class. Therefore, no categorization other than this is sanctioned, and dif-

ferences in responsibilities and rights are in accordance with differences indicated by such categorization only.

2. *Closing off the Avenues to Slave-taking.* The principal avenues to slave-taking were warfare for plunder, expansionism, and the taking of prisoners. After that there were differences in color and race, and then there were laws and particular traditions. Captives taken in war were usually put into slavery if they were young, healthy, and able to work, and those who were infirm and old were killed. In all times and places where there was a thriving market for slaves, the purpose of wars and invasions was to take captive for slaves. If there was no war, athletic and adroit individuals would attack at night and kidnap unsuspecting and defenseless people. The black and red races, being regarded in most countries and by most other races as inferior, were considered natural slaves. In some countries (such as Rome) those who could not pay their debts would become slaves by law, and if the debt was heavy their wives and children would become slaves as well.<sup>24</sup> The agricultural laborers who refused to do their work or disobeyed were enslaved by the master who had the right to make them their slaves. Sometimes, during the Middle Ages, European landlords would sell their property along with its workers.

These were the prevailing and customary methods or laws for slave-taking and converting human beings into property. No one can claim that Islam authorized or subscribed to these methods: they are all contrary to the principles and injunctions of Islam.

In the injunctions of Islam and among Muslims, slave-taking from among prisoners of war appears in the lengthy pages of books on Islamic jurisprudence and in the extensive Muslim wars, and this has given rise to hair-splitting on the part of critics. On this account, there is no alternative but to look back, in passing, at the principles and laws of Islamic warfare in order to understand the view of the theologians and the correctness and incorrectness of the acts of Muslims in some wars.

Can Islam ignore war and be without an opinion concerning it? War, in whatever form, is one of the permanent phenomenon throughout human history, rooted in the human instincts of rebellion and anger. Therefore, if it is not channeled towards higher aims and limited by humanitarian concerns, it will be used to seek privileges, plunder, and violate the borders, rights and property of people. Should not Islam, which has views and injunctions concerning the most trivial and minimal acts of an individual, have a legal viewpoint on the elimination of war, or on changing its goals and specifying its limits? If it is not possible to eliminate war in all its forms at once, then it is certainly necessary to change its objectives and limits in order to eliminate it gradually. If we agree that Islam has set down such objectives and limits, then war must be held within these limits and conditions by believing Muslims who are familiar with these requirements.

If, like Christianity or other ethical and mystical systems, Islam contained

only moral teachings, and its prophet and saints were merely teachers of human ethics, there would perhaps be justification in saying that Islam ought not to issue war commands (although Christianity, despite being merely a creed teaching ethics and morality, made use of the sword and the swordsman once it attained power). Could Islam, despite having views and injunctions about intellectual transformation and the establishment of a social system, content itself with merely sounding the call without looking at the degenerate condition of the public and the prevailing oppression? If the proponents of Islam had contented themselves with merely sounding the call, is it to be believed that the autocrats and the dominant profiteering classes who held dominion over all places and things would not have protested it and prevented this call from finding expression? In light of this brief and clear assessment, is it not necessary to declare that if Islam had not had injunctions and laws concerning warfare it would have been a limited, deficient, and ineffective creed?

The limitations to and laws for Islamic crusade, in accordance with the Qur'an, the traditions of the most respected Prophet, and the infallible [Imams], are as follows:

(i) *Limitations of scope and intent*: *Jihad* is a form of worship, and must be carried out for the purpose of coming nearer to God. If this is not the purpose it is forbidden. Just as this is the initial motivation, it continues to operate throughout the war. As intended by the Qur'an, *jihad* and killing (*qatal*) are sanctioned only if done "for the sake of God." To work for the sake of God is to worship and be obedient, which is the good, sound, and merciful path for the people.

(ii) *Limitations of war*: War is sanctioned first against those who molest or invade: "Fight in the way of Allah against those who fight against you" (II: 190); then with those who have taken a hostile position and have prepared for war: "And slay them wherever ye find them" (II: 191); then with those who create disturbances and chaos, lead the people astray, and violate Islamic restrictions (*hadd*) and the laws: "And fight them until persecution is no more" (II: 193); and finally in order to establish the laws and government of God: "And religion . . . for Allah" (II: 193).

(iii) *No Muslim individual or fighter should violate these rules*: "But begin not hostilities. Lo! Allah loveth not aggressors" (II: 190). If the aggressor or the one who hinders the advancement of the call desists from creating disturbances, obstructions, and resistance, then he must be opposed no longer, "But if they desist, then lo! Allah is forgiving, merciful" (II: 192); "But if they desist, then let there be no hostility except against wrong-doers" (I: 193).

(iv) In times of tranquility and peace the slightest act of aggression or war is prohibited, so that enemies and warring peoples can come to a mutual understanding and heed the call. In the vicinity of the great Mosque "... fight not with them at the inviolable place of worship" (II: 191), and during the for-



bidden months unless the enemy violates the restrictions and covenants; "The forbidden month for the forbidden month, and forbidden things in retaliation" (II: 194). The wars and commands of the most respected prophet, may God's peace and blessings be upon him and his household, were all subject to commands and limitations of these same Qur'anic regulations. Sometimes, when Muslims exceeded these limitations a little bit and interfered with non-hostile peoples in the midst of hostilities and conflicts, he would chastise them severely, as history records clearly and in detail. In Islamic jurisprudence *jihad* is formulated on the basis of these restrictions and injunctions. The first condition for offensive wars in Islamic jurisprudence, after the most respected Prophet, is that they must be carried out under the leadership of an infallible and just Imam or his deputy who is free from passions and desires and conducts war within the limitations set by these injunctions and does not deviate from the objectives.

A declaration of war is issued when a belligerent enemy has been called to Islam and its principles and refuses. The People of the Book (Jews, Christians, and Zoroastrians), should they refuse to accept Islam, have a choice between accepting Islamic taxation on non-Muslims or war. If, after receiving the call and elaboration on it, they accept Islam, they will become brothers of Muslims. If they accept Islamic taxation, do not violate the lives and principles of Muslims, do not spy or plot against Muslims for their enemies, do not violate Muslim shrines and sacred precincts; and pay the *jez'ya* tax, which is designed to meet expenses in the public interest and collected on the basis of ability to pay, they will enjoy all the social rights and security, and they will have more freedom of thought, religion, and way of life than under their former systems. The heavy burden of class distinctions will be lifted from them and they will be able to think freely about the principles and nuances of Islam.<sup>25</sup>

Before Muslims confront any nation and go to war with them, this declaration and exposition of the call must be propagated clearly by the Imam or the ruler. Formerly, in the year six or seven Hejri, before the conquest of Mecca, when Muslims were still skirmishing and fighting the Arab polytheists and lacked the power to advance to the borders of the Arabian Peninsula and beyond, the most respected prophet, may God's peace and blessings be upon him and his household, after proclaiming the principles of Islam and its call to Arabs and the people of Hejaz, conveyed the message to all rulers, sultans, and religious leaders in the area by letter.

At the conclusion of the letter to Khosro Anushiravan (the Shah of Iran), following an exposition of the principle of unity and a general message, the Prophet wrote: "Choose Islam that you may remain whole. If you turn away from it, the sins of the farmers and the workers (or Zoroastrians) will be on your shoulders."<sup>26</sup> At the end of his letter to Maquaqis (King of Egypt), he wrote: "If you turn away, the sins of the Egyptian people will be on your shoulders."<sup>27</sup> At the end of his letter to Caesar<sup>28</sup>, he wrote: "If you turn away, the sins of the

work force [*al-yirisiyyin*] (workers, laborers, and the deprived who have been enslaved) will be on your shoulders."<sup>29</sup>

As was explained above, the letters sent to the Christian leaders began with the verse: "O People of the Scripture! Come to an agreement between us and you" (III:64).

As noted in this reliable historical document, before the Muslims prepared for and undertook their offensive wars the principles of the general call to Islam (unity; the sovereignty of Divine law; peace and security [peaceful coexistence!]; freedom for farmers, the deprived, and other people; and the nullification of worship and servitude to any being other than God) were propagated by the Prophet.

Following a call and public proclamation and private notification all of which must be done at every encounter or meeting, if the enemies of truth and the people's interests, namely, rulers and the privileged classes, balked and did not submit to the truth, and turned their backs on a peace treaty, then the Muslims are obligated to go to war. If, after the outbreak of war and prior to its end, the other side proposes peace, the Muslims and the Islamic ruler, in accordance with the verse, "And if they incline to peace, include thou also to it, and trust in Allah" (VIII: 61) and in accordance with the public interest and security from enemy plots and tricks, must accept the enemy's proposal.<sup>30</sup> Muslims cannot and must not surrender in any case.

After the outbreak of war they must stand their ground until the enemy is defeated or they themselves are killed. In exceptional cases they can withdraw to regroup and reinforce. When the enemy is defeated and captives fall into Muslim hands, how must they be treated? The Qur'an spells out the treatment of prisoners as follows: "When you have routed them, then make fast their bonds, and afterward either offer grace or ask for ransom" (XLVII: 4). This verse clearly states that after the order is given to take and confine captives, the Imam and the commander are empowered to choose between showing favor to the captives and releasing them gratuitously or releasing them after the payment of ransom (ransom is the amount of money that is agreed to by both sides as payment for the release of captives; if the enemy has taken captives from the Muslims the exchange of prisoners is also considered ransom).

Although the verse apparently limits one to a choice between freedom and ransom, our jurists have added another alternative to the Imam's options: "The Imam may choose between extending favor (release without ransom), ransom, and taking prisoners as slaves." This last provision, not stated in the verse but accepted by the jurists, is an exception which applies to special cases in the public interest. The exercise of it is solely the prerogative of the Imam. Thus, if the public interest or the policy of war does not provide that infidel captives be released with or without ransom, and if the other party does not wish to release Muslim captives in exchange for his own or according to customary practice, the Muslims should exercise the option of making slaves of captives. In this case in-

fidel prisoners of war are automatically made into slaves, there being no other choice.<sup>31</sup> This kind of enslavement is not the result of Islamic laws. It is rather the result of the will and choice of the captives. These disgraced people did not accept the Islamic invitation to liberation even though the way was open for them both before and during the war either to accept Islam or to come forth in peace and make treaties on an individual basis. They had the opportunity to reflect on their best interest and heed the public and private proclamations of Islam. They went to war in order to protect governments and privileged classes which had deprived them of every form of right. They brought the flames of war down upon themselves and upon people who had extended the hand of help, freedom, and brotherhood to them, closing off the way to ransom and freedom for themselves. Are they slaves in the same sense as the slaves of Rome, Babylon, and Chaldean? No, they are only slaves in name. Muslims are not given the right to kill and torture them.

Muslims who have these slaves living in their midst must regard them as one of themselves. They must feed and clothe them as they do themselves, they must not put them to difficult tasks, they must train and teach them to develop their intellect and morality, and they must prepare them, like children or retarded people, for independent and free thinking. The doors to freedom are open to them in all directions and at any time!

Can any perceptive and fair-minded person say or believe that slavery is one of the goals or necessities of Islamic warfare? Is it not true that the objective of Islamic warfare is to free the people of the world intellectually from polytheism and enslavement to any being other than God, and to liberate the people from the absolute sovereignty of individuals and classes? If we say that the liberation of "free slaves" and "official slaves" is not an Islamic war goal, we can certainly say it is one of its inevitable aspects, based on the assumption that slavery is entirely the result of legal and economic privileges and unlimited ownership of land. One of the aims of Islamic warfare is to eliminate these privileges and to establish Divine law. Wars which are waged to achieve Islamic aims, even if they are unable to eliminate these privileges and slavery in a single stroke, do open the way and take preliminary steps toward the liberation of the governed and the slaves. The principles and derived laws of Islamic jurisprudence have closed all the usual doors to enslavement and have opened no new doors to it. In all of the vast literature on Islamic jurisprudence there is not a single chapter on the capture of slaves, but the subject of the liberation of slaves has been discussed at great length.

From the point of view of Islamic jurisprudence there is only one certain and sanctioned path to enslavement, and that is to acknowledge enslavement and choose it freely. If a rational and mature human being willingly and freely submits to enslavement and acknowledges he has been enslaved and no one contradicts it, then he must be accepted as one. If such an acknowledgement were not respected, it would in fact be a denial of that person's freedom. A



reputable tradition states: "'Abdullah ibn Sanon reports that he had heard from the exalted Sadiq [the sixth Imam] that the commander of the faithful [Iman 'Ali] had repeatedly said, 'All people are free except someone who acknowledges his own enslavement.'"

3. *Opening Various Ways to Freedom.* The third principle concerning slavery, upon which Islamic views and commands are based is the principle of 'etq [liberty]. The approach Islamic jurisprudence has taken to 'etq opens up various avenues for the liberation of slaves. These avenues are set forth as Islamic injunctions and responsibilities, not merely as a general humanitarian responsibility or as advice. In the books of Islamic jurisprudence, the various aspects of 'etq are divided into four [sic] principal sections: *mobarsherat* [directness, pursuit, supervision]; *serayat* (emanation); *molk* [property]; and '*avarez* [compensation].<sup>32</sup>

*Mobarsherat:* This applies when the owner, with his own initiative and free will, in fulfillment of a promise or a pledge, or in return for a defined sum at the slave's request (*mokateba*), frees a slave. According to the intent of the Glorious Qur'an and the saints of Islam, and in order to perform a pious act and draw nearer to God, it is a recommended Islamic and human obligation for every Muslim individual to liberate his slaves whenever possible, or, if he has surplus wealth, to use it to buy and liberate slaves: "Ah, what will convey unto thee what the Ascent is! (It is) to free a slave" (XC:12-13).<sup>33</sup>

*Mokateba* (request by the slave): This applies to agreed-upon sum of money in return for which a slave will be freed. The source of this principle is the following verse: "And such of your slaves as seek a writing (of emancipation), write it for them if ye are aware of aught of good in them, and bestow upon them. . ." (XXIV: 33).

On the basis of the above verse, when a slave has attained significant personal or financial growth and asks to buy his freedom, it is obligatory (evidently) or highly recommended that the owner should agree to the request, and if the slave cannot pay the sum or its installments he should be helped from the public treasury. As soon as the agreed sum is paid, the slave is fully at liberty and no one can make him return to slavery.

*Tadbir* (planning): This is a provision in the will of the owner for the liberation of a slave after the owner's death. Although the owner can remove this provision from his will before his death, the children of such a slave who are born before the provision is revoked are free.

*Serayat* (emanation): [In case there is a shared ownership of a slave] if one part of a slave, for any reason—by petition, by a pledge to God, or by a will—should be liberated, the liberation emanates to his other parts, and that slave—according to reliable traditions—is free. However, the one who liberates the slave must pay the other part-owners their share. If he cannot pay them, the liberated slave must try to pay them.

*Melkiyat* (property): If any person, through inheritance or purchase, acquired ownership of his mother, father, any one of his maternal or paternal grandparents, his children or his grandchildren, these people are automatically liberated at the time of transfer. If any free man acquires ownership of any one of his wives, these wives are liberated. It is commonly accepted that siblings who nurse from the same mother are blood relatives according to law. If a slave girl becomes pregnant by a free man, the lifting of her bonds of ownership is prohibited until it can be passed on to her children by inheritance and they can all be freed at once.

*Avarez* (compensation): This refers to events which lead to liberation, such as torture. If an owner amputates any member of a slave's body as punishment, that slave is liberated: if he beats him severely and wounds him, the government can compel the owner to free him; and if the beating does not cause injury it is recommended that he liberate the slave. If a slave converts to Islam before his master does in a war zone of unbelievers, he is liberated. If a slave becomes bedridden, blind, or afflicted with leprosy, he is liberated. All of these paths to liberation are themselves the source of other liberations (such as the liberation of children and liberation through inheritance.)

These are the general principles guiding liberation found under the section on *'etq*. From each one are derived injunctions and limitations, and the person who desires a detailed discussion of them must refer to books on jurisprudence. The paths to liberation which Islam has opened are not confined to what is found under *'etq* in the books of Islamic jurisprudence. There are other sections, such as *kafarat* [expiation] and inheritance, which have opened other doors to the liberation of slaves.

*Kafarat* [expiation]: These are acts which must be performed as penance for sins. In a great many cases, one is obligated to liberate a slave, whether willingly or under prescribed conditions. In a case of premeditated murder, where the victim is a Muslim and the murderer is not executed due to a pardon or monetary reparation, or if he is guilty of breaking the obligatory fast, he must free a slave (and to fast continuously for two months and to feed 60 poor people). If the victim is a tax-paying infidel a slave must be liberated (and reparations paid). In the case of the unintentional killing of a Muslim and in the oral renunciation of a wife, which is similar to divorce, for absolution before God and the Prophet, one must liberate a slave if possible. If this is not possible there are other prescribed acts of penance. In the matter of penance for breaking the daylight fast during the month of Ramazan, or rescinding an oath, pledge, or promise, the liberation of a slave is optional.

*Inheritance*: If the heir is a slave and the bequeathing mother or father is free, the consensus is that he is free with regard to inheritance rights and will collect the inheritance. This is also the preferred opinion with regard to the children and other members of the family. This is a list of Islamic theological injunctions on the liberation of slaves, based on the following verses:



...bestow upon them the wealth of Allah which He hath bestowed upon you.

(XXIV: 33)

...and giveth his wealth, for love of Him, to kinsfolk and to orphans and the needy and the wayfarer and to those who ask, and to set slaves free. . .

(II: 177)

The alms are only for the poor and the needy, and those who collect them, and those whose hearts are to be reconciled, and to free the captives. . .

(IX: 60)

One of the ways of using the public treasury, ordinary expenditures, and charitable alms is the liberation of slaves.

### SLAVES WHO LIVE AMONG MUSLIMS AND ON THEIR PROPERTIES

From the standpoint of rights, there was no similarity between their situation and that of slaves in non-Muslim countries, except for the fact that they were owned by another. They enjoyed all the public Islamic rights, the right to worship in the same prayer ranks, the right to hold public office, the right to political immunity, and the right to marry freemen or among themselves. The following verse decrees that slaves, like the mother, father, family, and neighbors of a Muslim and like the poor Muslims, have rights and must be treated favorably: "(show) kindness unto parents, an unto near kindred, and orphans, and the needy, and unto the neighbor who is of kin (unto you) and the neighbor who is not of kin, the fellow-traveller and the wayfarer and (the slaves) whom your right hands possess" (IV: 36). As for the right to ownership, according to the view of a number of theologians, based on reliable traditions, a slave can own property, but as long as they have not freed him or he has not become free, he cannot take possession of it. With all these rights granted to slaves by Islamic injunctions, this kind of slave is really only half a slave, on the threshold of freedom.

On the basis of these injunctions and teachings the saints and great men of Islam seem to have regarded the purchase, training, and releasing of slaves as religious obligation. There are no instances of slave-selling in the history of their lives, so that in the early days of the emergence of Islam, all slaves, whether owned by Muslims or whether Muslims owned by non-Muslims, were bought and liberated by them. The commander of the faithful, Imam 'Ali, peace be upon him, and his chaste children and their followers were always buying slaves. After teaching and training, they would liberate them on every occasion that arose in order to draw nearer to God, without compensation. Some of them freed more than a thousand slaves. This practice of the saints was



customary and habitual for other Muslims. They would free slaves after they had matured and were able to think independently, because as has been noted previously, the habit of slavery and blind submission to authority was deeply rooted in the minds of the slaves as a result of their particular circumstances and their heritage. For example, suppressed and colonized nations and retarded children, with superficial independence, cannot stand on their own feet. They do not believe that they can manage their own affairs without the support and help of others, or direct and manage their own lives. A superficial environment of independence and freedom has the effect of gradually allowing the coming generation to become self-reliant.) Most slaves and people who are like slaves are like a diseased plant. Its roots have the power to make it live and grow; as soon as the disease is cured it will sprout and grow leaves and fruit. Such people became free before they were aware of their own identity and independence and freedom of thought and were more like to return to their master's house (like small children) or refuse to go out. Many of these people, as freed slaves (*mawali*), have remained in the home of their liberators until the end of their lives.<sup>34</sup>

Despite the fact that Islam closed the avenues to enslavement such as this and opened doors to liberation for slaves and people living like slaves, the question arises, how and why were slaves and slavery common among the Muslims and in Muslim countries for centuries? The answer to this question becomes clear after a brief look at the history, the state of Islamic societies, and the changes they underwent, on the one hand, and a comparison between these circumstances and the scriptures and traditions of the Prophet, on the other hand. Were the caliphates and governments of the Umayyads and the Abbasids and others like them truly Islamic caliphates, in accordance with the scriptures, the traditions of the Prophet, and the will of the Muslim public? Can their war edicts and acts be considered legal and Islamic? These people rode the backs of Muslims with plots, swords, and hereditary privileges. How could it be expected of these people, who shed the blood of innocent Muslims with the swords of their soldiers and agents and whose treatment of the Muslim people was more cruel than that of Roman slave drivers, that they would deal with other nations in accordance with Islamic justice or carry on their wars and conquests in accordance with Islamic laws and principles.<sup>35</sup>

The centers of slavery in Islamic countries were the courts of the caliphs, the rulers, and their agents, who attracted various kinds of men and women by means of illegal wars or from the surrounding area for their revelries, assemblies, and ceremonies. Many of those in the courts had control over the people and the caliph himself, and sometimes the caliph was removed and installed by them.

Every Muslim and non-Muslim who is familiar with the Qur'an, the traditions of the Prophet, and the principles and derived laws of Islam knows that neither these governments nor their agents conformed to Islamic teaching.

Anyone who apologizes for them or tries to prove that these people's practices were Islamic is either a deceiver or has been deceived.

All these deviations and changes notwithstanding, slavery (like that of class privilege and land ownership) in Islamic countries cannot be compared with that of other countries. The slave market in Islamic countries, unlike in other countries, was not active except in wartime, and the more slave-taking and slave-selling increased in other countries, the more it diminished among Muslims.<sup>36</sup>

#### NOTES

1. The word '*adalat*' has often been translated into the English as "justice." A more accurate rendition, one that is closer to the Islamic world view, would be "righteousness." The Oxford English dictionary defines "righteousness" as "conformity of life to the requirements of the divine or moral law." This is the precise connotation of '*adalat*' when used as a human attribute in Islam. (tr)

2. The characteristics of Iranian social structure before Islam are nowhere better explained than in Ferdowsi's poetry and stories. In one of the stories about Anushiravan (ruled 531-579 A.D.), Ferdowsi [Hakim Abu al-Qasim 932-1020 A.D., the Iranian epic poet] states: "When the treasury became empty, as a result of the long wars with the Romans, the Shah of Shahs needed a loan to balance his budget and equip his army. A shoemaker agreed to provide the loan on the condition that his son be allowed to learn how to read and write so that he might become a member of the class of scribes. When the special council to the shah put forward the proposal, the shah dismissed the idea as the product of a mad man's imagination."

3. He was the son of Qusayy ibn Ka'b ibn Lu'ayy who assumed the chieftom of the Quraysh some generations before Muhammad. He consolidated the power of the Quraysh in Mecca as the guardian of the Kaaba until the whole Meccan system was destroyed by Muslims (623 A.D.) (tr).

4. *Saffeyn* is an important battle fought in 658 A.D. between Imam 'Ali (d. 661 A.D.) and Mu'awiya (d. 680 A.D.), the governor of Syria, who did not recognize 'Ali as the caliph. The stalemate at the battle was to be resolved by arbitration which proved unsatisfactory to 'Ali. It was detrimental, however, in causing a schism among the supporters of 'Ali; some supporters of 'Ali (the Kharejis) disapproved of his submission to arbitration and therefore left him. (tr)

5. The general and humanitarian viewpoint of the glorious Qur'an is in contrast to those unrealistic views which see class and tribal distinctions as a means of seeking superiority and conquest in war. The Qur'an declares that tribal and racial differences, like natural differences, must bring about coalition and cohesiveness, and turn out better people. Superiority should only be based on piety and human virtues, and that too in the sight of God and not simply to show obedience to public laws or regulations.

6. See Muhammad ibn Ishaq ibn Yasa *Sirat Rasul Allah*, translated by A. Guillaume (Oxford: Oxford University Press, 5th impression 1978), pp. 552-553. (tr)

7. Ibid, pp. 649-652.

8. Maroun Beyk 'Ubud (contemporary poet, scholar and the president of the National University of Lebanon) has composed many eloquent and pithy poems on the personality and mission of the messenger of God and the principles and aims of Islam and the Muslim crusades, the text and translation of which have been published in Persian. The following are two lines about Muhammad's victory over Mecca: "God is great. You idols have been toppled, then smashed! Have you heard the call to prayer? This is Balal! He proclaims unprecedented and great news, and imprints the name of God upon people's minds."

9. These two verses proclaim the superiority of the Islamic community, the form of Islamic society and the general salvation possible through Islamic injunctions! Can democracy in its true and complete sense mean anything but such freedom based on responsibility to oneself.

10. After the Prophet's death the leaders of the Arab tribes gathered in the hall of Bani Sa'ida to decide on his successor. Abu Bakr (d. 634) was elected the first caliph to succeed the Prophet. Following his death he was succeeded by 'Umar (d. 644) and then by 'Uthman (d. 656). After the latter's assassinations, 'Ali (d. 661) assumed the leadership. 'Ali, therefore, had remained in seclusion from 632 to 656 A.D. (tr)

11. Many distinct examples are recorded in history of the implementation of the law during the time of the second caliph showing equality before the law and impartiality of Islamic executives and judges. One of these examples is the case of the Ghassanid king Jabla ibn 'eyhim. [Note: Ghassan was a protectorate kingdom of the Eastern Roman Empire, located in today's Syria.—tr] He travelled with royal pomp and ceremony to Medina and converted to Islam. In the same year, he accompanied the caliph on a hajj pilgrimage. While he was performing the sacrament, an unknown Arab stepped on his garb whereby he was disrobed. Jabla got angry and slapped the man in the face. The Arab complained to the Caliph. The Caliph summoned Jabla and when he confessed, he decreed: "You must either give the Arab satisfaction or submit to retaliation." The common Arab insisted on retaliation. Jabla said: "This man is a commoner but I am of the kings." The Caliph said: "All men are equal before Islamic law. Jabla asked for a period of grace, and in the night he took refuge with the defeated Roman leader Heracleius (emperor 610-641 A.D.). However, he always regretted his conversion from Islam to Christianity and not subjecting himself to Islamic justice. Poems about him were frequently recited. Other famous cases include the second caliph's order for the punishment of his son and confiscation of the wealth of some governors.

12. He was Musqala ibn Hobayra Sheybani, the governor of the southern province of Iran during the caliphate of His Holiness. Apparently, the capital of that province had been Ardeshir Khoreh, or Khoreh Ardeshir, or Kor Ardeshir (*kor* meaning center of a province) which is totally destroyed now. Some ruins of this city are found in areas between Abadan and Bushehr in Iran. Musqala had lived in this city.

13. George Lafebvre, *The Coming of the French Revolution*, translated by R. R. Palmer, (Princeton: Princeton University Press, 1947), appendix. (tr)

14. Albert Mallet, *The History of Eighteenth Century (Tarikh-e Qarn-e Hejdah)*, part two, translated into the Persian by Rashid Yasemi (Tehran: n.d.). This quotation is a direct translation from the original Persian. (tr)

15. See Note 13.

16. Ibid.

17. The privileges of aristocrats and lords and the power of major capitalists, companies, and trusts are the manifestations of the old and new western privileges.

18. Marxism considers capitalists and laborers the two principal classes in every society regardless of time and place. Engels has written that the bourgeoisie and the proletariat are the two



main classes. The struggle between these is the ultimate struggle of modern times. Therefore, communist revolution is not just a nationalist revolution. It is a revolution which will occur simultaneously in all civilized countries, or, at least, in England, the United States, France, and Germany.

19. However, Article IV of the Universal Declaration of Human Rights adopted by the United Nations abrogates slavery.

20. England, which pioneered the abrogation of slavery among European countries, was seeking pretexts to dominate the seas and seaports completely and control the traffic of other powers for the sake of restricting and supervising others' ships. The best way to do this was through prohibition of buying and selling slaves, which was quite widespread. Using this prohibition England placed maritime traffic under its own security with the cooperation of its friends. This matter is noteworthy and important in the history of British colonialization.

21. The following news item reported in *Ettela'at* (September 6, 1964/Shahrvivar 16, 1343), a century after the Emancipation Proclamation, is an example of the kind of freedom for the blacks in the United States:

The Chief of Ku Klux Klan Said: "It is Permitted to Kill Blacks."

Atlanta—In a talk before six-hundred members of his organization, the chief of Ku Klux Klan who vigorously opposes equal rights for the blacks said, "A white should never be prosecuted for killing a dirty black." He added, "Those blacks who set foot in the south, which is the domain of the whites, should be killed." Referring to a recent case in which three whites were acquitted after killing a black teacher, he said, "The whites are permitted to kill blacks."

22. Spartacus led the most important uprising of slaves in southern Italy (the island of Sicily) in 73 B.C. The cause of the uprising was the treatment of slaves by the Roman aristocracy. One example was the practice of requiring muscular slaves to wrestle at public celebration. In this kind of wrestling the winner had to kill his opponent for the amusement of the audience. Spartacus gathered slaves of Rome and North Africa around him and fought Rome. Finally after some victories they were defeated as a result of internal dissension and a great many of them were killed. Six thousand slaves were crucified along the road to Rome.

23. Something close to this preaching is recommended or decreed for slaves in the books of Peter and Paul in the Bible. There are laws for capturing and keeping slaves to be found in Exodus, XXI.

24. This was the official law of Rome. Since most of the people were always indebted to the aristocracy and the wealthy, it was always possible for them to become slaves of the minority on the basis of this law.

25. In none of the early wars of Islam, managed and concluded under the leadership and command of the most respected Prophet, peace be upon him, were prisoners enslaved. During the battle of Badr, Hanein (Havazan), and the conquests of Mecca and Ta'if, when many Arab polytheists were taken captive by the Muslims, most of them were released without ransom. Some of the polytheist leaders who had instigated the wars and were wealthy, were released upon the payment of ransom.

26. Ibn Ishaq's *Sirat Rasul Allah*, op. cit., pp. 652-658. (tr)

27. Ibid.

28. Ibid.

29. The word *al-yirisiyyin* [the work force] apparently has a Roman origin. Professor Muhammad Abu Zohra in *al-'Aqlat al-Doliyah fi al-Islam* has rendered it as "peasants, farmers, and

workers." Abu 'Ubayd in *al-Amwal* has used "servants and serfs." There is also a difference of opinion regarding the correct [Arabic] pronunciation of this word. See *Makathib al-Rasul* by the learned scholar, Mr. Ali Ahmadi.

30. Concluding treaties or retreating from battles are the responsibilities of the Imam. However, all Muslims (free or enslaved, men or women) who have the qualities of a practicing Muslim can conclude peace treaties with more than one non-Muslim and grant asylum. This treaty must be respected and obeyed by all Muslims, including the Imam, even if the Muslim person has secured treaty with ten persons of the opposite camp. Some jurists content that each Muslim can grant asylum to the inhabitants of one vilage or a fortress.

31. Now that in the interest of the public prisoners must be in the custody of Muslims, to prevent them from escaping or causing trouble, two options may appear to be available: either imprison them, or release them among the Muslim and their families. To imprison them runs contrary to Islamic justice and mercy. To let them go free among Muslims is contrary to the public interest, because there is no guarantee that they will not plot and get away. Thus a third alternative is to place them under the supervision of individual Muslim families without ownership. In this case the families would be under no compulsion to look after and supervise them, because this necessity is one of the obligations of family ties or ownership. Thus the only remaining solution is to establish property [owner-serf] relationships between the individuals and captives within special conditions.

32. The reader should note that although Taleqani lists four principal sections for *'etq* he proceeds to describe six, adding *mokateba* and *tadbir*. (tr)

33. In this verse the Qur'an regards the freeing of a slave as an indication that a human being has transcended worldly concerns.

34. It is reported that after the emancipation of slaves in the United States a group of unemployed and unsupervised slaves asked to return to slavery.

35. Following the tragic crimes at Karbala in 63 A.H./681 A.D., Yazid ibn Mu'awiya sent a blood-thirsty man named Muslim ibn 'Aqaba to subdue the people of Medina (the birthplace of Islam), and authorized him to commit any crime. After the bloodthirsty individual filled the sacred precincts of the Prophet, peace be upon him, and the streets of Medina with blood, rape, and massacre, he obtained the allegiance of the rest of the people who swore that what they owned belonged to the "commander of the faithful" Yazid! This was in accordance with the tradition and prophecy of the most respected Prophet, who said "When the children of 'Aas have reached thirty in number they will make the children of God their slaves."

36. According to the statistics of Webva [sic], an American statistician, the export of blacks to the American continent alone during the sixteenth century numbered 900,000. In the seventeenth century it was 2,750,000, and 7,000,000 in the nineteenth century.

Comparing the slave market and the rights of Muslim slaves in Islamic countries with the slavery laws in other countries, foreign researchers and historians such as Dr. Gustave le Bon have affirmed that the circumstances of slaves among the Muslims were different in every way from those elsewhere. [Note: The correct spelling of the name of this American statistician could not be verified. —tr]

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